

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/21/73

1.
[redacted] Precision Film Labs, Incorporated, 630 9th Avenue, New York, New York (Precision), advised that Precision made some prints of the motion picture film, "Deep Throat"; however, [redacted] refused to divulge the exact number of prints made, the identity of the accounts for whom prints were made, and the location of the negatives from which prints were made.

[redacted] volunteered that the prints made by Precision were shipped by Precision only within the film center at 630 9th Avenue, New York, New York. [redacted] vehemently denied that Precision was responsible for shipping the motion picture film, "Deep Throat" to St. Petersburg, Florida, in February, 1973.

[redacted] referred all additional inquiry regarding the motion picture film entitled, "Deep Throat" to the film's attorney, [redacted] New York, New York, telephone number [redacted]

b6
b7C

Interviewed on 2/13/73 at New York, New York File # NY 145-3400

by SA [redacted] :cap Date dictated 2/16/73

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 231

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1-

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: **SAC, Miami (145-1000)**

Date: **December 29, 1972**

aw

From: **Director, FBI**

Re:

**GERARD DAMIANO, aka "Jerry," dba
Gerard Damiano Film Productions, Inc.,
251 West 42nd Street, New York, New York;
FILM ENTITLED "DEEP THROAT";
ITOM OO: New York**

REC-121

EX-101

FBI File No.

145-5049 -1

Lab. No.

D-721212141 AV

Examination requested by:

Miami

Reference:

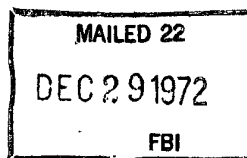
Letter 12-7-72

Examination requested:

Document

Remarks:

b6
b7C



Felt _____
Baker _____
Bates _____
Bishop _____
Callahan _____
Cleveland _____
Conrad _____
Dalbey _____
Jenkins _____
Marshall _____
Miller, E.S. _____
Ponder _____
Soyars _____
Walters _____
Tele. Room _____
Mr. Kinley _____
Mr. Armstrong _____
Ms. Herwig _____
Mrs. Neenan _____

Enclosures (2)(2 Lab report)

2 - New York Enclosures (2) (2 Lab report)

1 - Miami (145-671) Enclosure (Lab report)

CW Bishop (7)

ADMINISTRATIVE PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐



5714

**REPORT
of the**



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: **SAC, Miami (145-1000)**

Date: **December 29, 1972**

FBI File No. **145-5049**

Re: **GERARD DAMIANO, aka "Jerry," dba
Gerard Damiano Film Productions, Inc.,
251 West 42nd Street, New York, New York;
FILM ENTITLED "DEEP THROAT";
ITOM**

Lab. No. **D-721212141 AV**

Specimens received **12-11-72**

Q1 Fifteen color photographs of partial nude male
through and female depicting scenes from film "Deep
Q15 Throat"

Result of examination:

Specimens Q1 through Q15 were not identified with material of a similar nature that has been submitted previously to the Laboratory.

Specimens Q1 through Q15 are retained at the Bureau.

CWB:pan ^{pan}(7)

Recorded
12-15-72
pah

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

Re: GERARD DAMIANO, aka "Jerry," dba
Gerard Damiano Film Productions, Inc.,
251 West 42nd Street, New York, New York;
FILM ENTITLED "DEEP THROAT"
ITOM

File # 145-5049-1
Lab.# D-721212141 AV

OO: ~~Miami~~ N.Y.

Examination requested by: Miami (145-1000) (L. 12-7-72)

Examination requested: Document

Date received:

12-11-72

Result of Examination:

Examination by:

1. NF. R1. R15 in O.F
2. Retain evidence

b6
b7C

Q1
through
Q15

Fifteen color photographs of partial nude male and female
depicting scenes from film "Deep Throat"

Lab report
10/29/72
CUB: pah

FILE #145-5049-1

CONTENTS: LAB WORKSHEET ITEMS

DO NOT STAMP OR HANDLE AS ENCLOSURE

ENCE

EVI

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

1414 145-1000
WK 11/27/72

OBSCENE

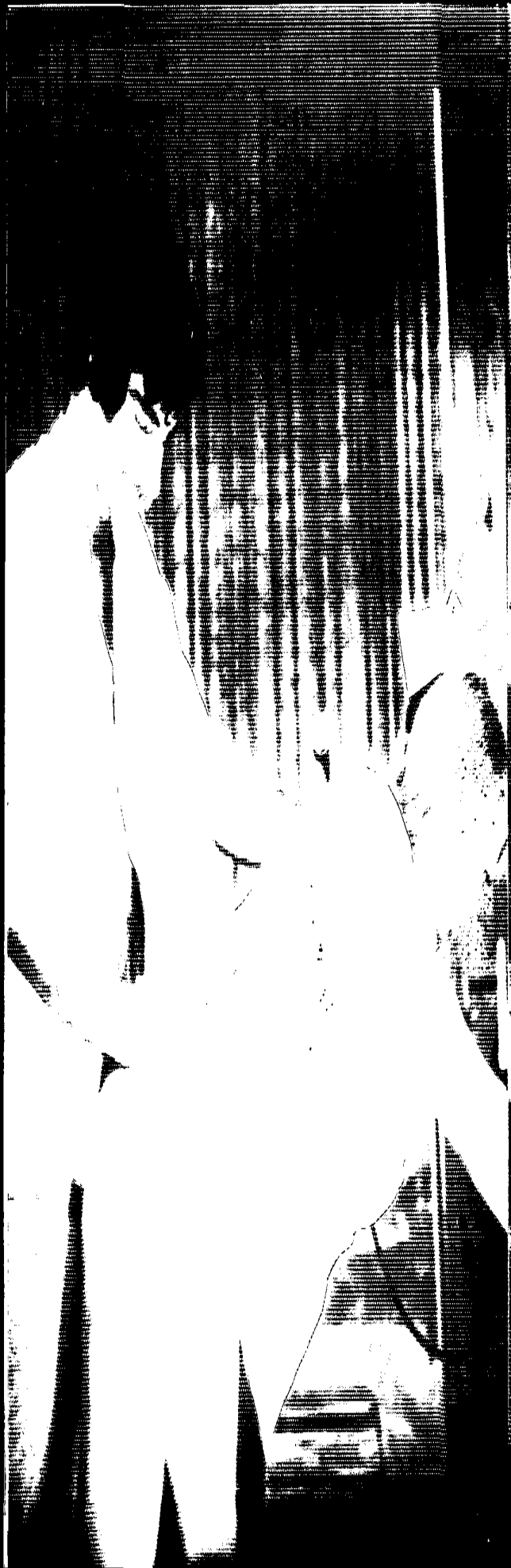






























Recorded
12-15-72
pah

FEDERAL BUREAU OF INVESTIGATION
 UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

Re:

GERARD DAMIANO, aka "Jerry," dba
Gerard Damiano Film Productions, Inc.,
251 West 42nd Street, New York, New York;
FILM ENTITLED "DEEP THROAT"
ITOM

File # **145-5049-1**
 Lab.# **D-721212141 AV**

OO: Miami

Examination requested by: **Miami (145-1000) (L. 12-7-72)**

Examination requested: **Document**

Date received: **12-11-72**

Result of Examination:

Examination by:

b6
 b7C

*OC: Changed to
 New York (rep
 for disp)*

145-3400

Q1
through
Q15

Fifteen color photographs of partial nude male and female
depicting scenes from film "Deep Throat"

*NY contacted
 4-19-81*

Q15 ← 10 | 280 C/11-8-

UNITED STATES GOVERNMENT

Memorandum

TO : ACTING DIRECTOR, FBI
(ATTN: FBI LABORATORY)

FROM : *WPK* SAC, MIAMI (145-1000) (P)

DATE: 12/7/72

SUBJECT:

CHANGED
GERARD DAMIANO, aka
"Jerry" dba
Gerard Damiano Film Productions, Inc.,
251 West 42nd Street,
New York, New York;
FILM ENTITLED "DEEP THROAT"
ITOM

(OO: MIAMI)

The title of this case is marked changed in order to reflect the identity of the subject and his business operation as GERARD DAMIANO, dba Gerard Damiano Film Productions, Inc., 251 West 42nd Street, New York, New York, based upon information developed from confidential sources at Miami and by investigation of the Miami Division.

Re Miami letter to New York dated 11/8/72, captioned "UNSUB; TRANSPORTER OF MOTION PICTURE FILM ENTITLED "DEEP THROAT, ITOM."

Enclosed for the attention of the FBI Laboratory are fifteen (15) obscene color photographic prints which depict action from subject film "Deep Throat," produced in the Miami area during about mid-January, 1972.

The enclosed obscene photographs were furnished to SA [redacted] on November 27, 1972, by Detective

- ③ - Bureau (Enc. 15) (RM)
2 - New York (Enc. 19) (RM)
2 - Miami
(1 - 145-1000)
(1 - 145-671)

WPK:pam
(7)

Bureau designates NY as office of origin. Copies transmitted to offices indicated. Former office of origin furnish all pertinent serials to new office of origin.



5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Index Tab Files

COPY AND SPECIMENS
21-7-215

EXP-100

b6
b7c

20 DEC 11 1972

1cc, NY, mm

12/14/72
WGB/dak

MM 145-1000

[redacted] Vice Squad, Hollywood, Florida, Police Department. [redacted] had the enclosed photographs made from original negatives seized by the Hollywood Police Department in a November 13, 1972 raid on [redacted]

[redacted] also known as [redacted] white male, born [redacted] at Rochester, New York, resident of [redacted] Florida (Miami file 145-671).

The original negatives were ordered returned to [redacted] by November 29, 1972, order of a Hollywood Municipal Court judge, together with a huge quantity of obscene, nude and semi-nude photographs, sex artifacts, obscene films, cameras, projectors, and other film making equipment. Many obscene films and some still photos, which depict females known or believed to be juveniles, were allowed by the judge to be maintained in the custody of the Hollywood Police Department.

[redacted]

It is noted that one of the fifteen enclosed photographs reflects a scene take-board for scene 18A, take 1, which reflects "Director Damiano."

b6
b7c

The white female blonde, dressed in a nurse's cap in each of the enclosed photographs, was identified to SA [redacted] by a Miami confidential source on November 28, 1972, as Miami area sex film actress CAROL KYZER (also possibly known as [redacted] address unknown. *No Loc.*

For the information of the Bureau and New York Office. [redacted]

[redacted]

The same confidential source advised November 28, 1972, the reported female "star" of "Deep Throat", which film is not known to have been exhibited in the South

MM 145-1000

b6
b7C

MIA. Florida area, is one LINDA LOVELACE, also known as LINDA TRAYNOR. girl friend of [redacted]

[redacted] Florida. Efforts to contact [redacted] or LOVELACE have been unsuccessful as of November 30, 1972.

The same confidential source advised November 28, 1972, that about January, 1972, a person identifying himself as "DAMIANO," and as a New York City area sex film producer, contacted source telephonically in an effort to have the source cast a hard-core film to be made by DAMIANO in the Miami area. Source declined the request and had no further contact with the subject.

Enclosed for the New York Office are Xerox copy of each of the following documents obtained from the Voyager Motel, N. E. 123rd Street and Biscayne Boulevard, North Miami, Florida:

- 1.) Registration card number 9785 dated January 11, 1972, for GERARD DAMIANO (room 107)
30-20 75th Street, Jackson Heights, New York.
Car: Blue Cadillac El Dorado
New York license X225-91 of Gerard Damiano
Film Productions, Inc., 251 West 42nd Street,
New York, New York, account #0210-0012-020-090854
At Chemical Bank, 1411 Broadway, New York City
- 2.) Business card of GERARD DAMIANO
- 3.) Bill of GERARD DAMIANO
- 4.) Registration card #9852 dated January 15, 1972 for Mr. and Mrs. C. E. TRAYNOR, 1050 N. E. 128th Street, Miami, Florida (Room 127)

MM 145-1000

b6
b7c

5.) Bill for Mr. and Mrs. C. E. TRAYNOR charged to room 107 (DAMIANO's)

6.) Registration card [] dated January 15, 1972, for []

7.) Bill for [] charged to room 107 (DAMIANO's)

8.) Registration card [] dated January 18, 1972, for []

9.) Bill for [] charged to Room 107 (DAMIANO's)

10.) Registration card [] dated January 12, 1972, for []

11.) Bill for [] charged to Room 107 (DAMIANO).

12.) Registration card [] dated January 11, 1972, for []

13.) Bill for []

14.) Registration card [] dated January 12, 1972, for []

15.) Bill for [] charged to room 107 (DAMIANO's)

MM 145-1000

16.) Registration card [redacted] dated January 14,
1972 for [redacted]

b6
b7C

17.) Bill for [redacted] charged to room
107 (DAMIANO's).

18.) Registration card [redacted] dated January 12,
1972, for [redacted]

19.) Bill for [redacted] charged to room
107 (DAMIANO's)

Entries maintained by [redacted] in a 1972 daily diary,
as received by SA [redacted] for any items seized from [redacted]
November 13, 1972, by the Hollywood Police Department,
reflect the following pertinent notations:

Under date January 11, 1972

"Deauville (a Miami Beach, Florida, leading hotel)
JERRY DAMIANO 100.00
B 26

[redacted] (possible reference to [redacted])

Voyager Motel [redacted]

Under date January 12, 1972

"Voyager Motel [redacted]

MM 145-1000

Voyager [redacted]

b6
b7C

[redacted] - Voyager

Golden Pagoda Chinese (probable reference to the Golden Buddha Restaurant, located directly across Biscayne Boulevard from the Voyager Motel)

Collect [redacted] 500.00

[redacted]

Under date of January 13, 1972

"Voyager Motel - LINDA TRAYNOR"

Under date of January 14, 1972

[redacted]

Under date of January 20, 1972

"JERRY DAMIANO collect 50.00 bal"

On November 28, 1972, [redacted]

[redacted]

[redacted] born [redacted] advised SA [redacted] he had no first hand information relative to "Deep Throat" but only recalled hearsay from unknown source or sources in the film industry in the Miami area that "Deep Throat was [redacted] film." [redacted] denied being acquainted with [redacted] and DAMIANO.

MM 145-1000

On November 30, 1972, another Miami confidential source, who recalls DAMIANO being with a film making crew at the Voyager Motel during mid-January, 1972, described subject as a white male, in his 50s, about 5'9" to 5'10", about 160 pounds, medium build, black-grey hair, brown eyes, speaks softly, engaging personality.

DAMIANO told the source he was engaged in making film commercials in the Miami area during January, 1972.

REQUEST OF THE BUREAU

Since the subject and his film making company have been identified as operating at New York City, the Bureau is requested to designate the New York Office as the new office of origin; replacing Miami.

REQUEST OF THE FBI LABORATORY

The FBI Laboratory is requested to examine the enclosed color photographs to determine if similar material has previously been received. Thereafter, the Laboratory should maintain the enclosed photographs until advised by the office of origin as to their ultimate disposition.

LEADS

NEW YORK

At New York, New York:

Will conduct appropriate ITOM investigation relative to GERARD DAMIANO and his company, as related to obscene film "Deep Throat". Miami possesses no information as to where "Deep Throat" was processed or by what

MM 145-1000

means it was transported out of Florida.

UAC by New York. no effort will be made to
interview [REDACTED]
[REDACTED]

MIAMI

b6
b7C

At North Miami, Florida:

Will interview [REDACTED] and LINDA LOVELACE,
1050 N. E. 128th Street, regarding filming of "Deep Throat."

UNITED STATES GOVERNMENT

Memorandum

2/8

TO : ACTING DIRECTOR, FBI

FROM : *WPK* SAC, MIAMI (145-1000) (P)

DATE: 1/2/73

JF 3

SUBJECT: GERARD DAMIANO, aka
"Jerry", dba
Pf Gerard Damiano Film Productions,
Inc., 251 West 42nd Street
New York, New York;
Film Entitled "Deep Throat"
ITOM

(OO: MIAMI)

Re Miami letter to Bureau, 12/7/72. *swl*

On page seven of referenced letter the Bureau was requested to designate the New York Office as the office of origin, since the subject and his film making company have been identified as operating at New York City.

The Bureau is requested to designate New York as the office of origin.

ab

Bureau designates *NY*
as office of origin. Copies
transmitted to offices indicated.
Former office of origin furnish
all pertinent serials to new
office of origin.

*cc, NY
mm
1/15/73
WPK/leh*

REC-28

EX-101

145-50492

16 JAN 4 1973

- ② - Bureau
 - 2 - New York
 - 1 - Miami
- WPK/taw



5010-108-02

1396
54 JAN 16 1973

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Mr. Bell _____
 Mr. Baker _____
 Mr. Callahan _____
 Mr. Cleveland _____
 Mr. Conrad *HP* _____
 Mr. Gebhardt _____
 Mr. Jenkins _____
 Mr. Marshall _____
 Mr. Miller, E.S. _____
 Mr. Soyars _____
 Mr. Thompson _____
 Mr. Walters _____
 Tele. Room _____
 Mr. Baise _____
 Mr. Barnes _____
 Mr. Bowers _____
 Mr. Herington _____
 Mr. Conmy _____
 Mr. Mintz _____
 Mr. Eardley _____
 Mrs. Hogan _____

COMMUNICATIONS SECTION

hac

NR 002 NK CODE

5:12PM NITEL 5/30/73 VMG

TO ACTING DIRECTOR (145-5049)

ATTN: GENERAL INVESTIGATIVE DIVISION AND SPECIAL INVESTIGATIVE
 DIVISION - ORGANIZED CRIME UNIT.

NEW YORK (145-3400)

FROM NEWARK (145-1231) (P)

Gerald Damiano

BM

PUBLIC SHOWING OF MOTION PICTURE FILM ENTITLED

"DEEP THROAT"; ET AL, ITOM-CONSPIRACY, AR, (OO:NEW YORK).

RE NEW YORK TELETYPE TO BUREAU, 5/29/73. *sws*

ON 5/30/73, [REDACTED] BONDED FILM STORAGE

COMPANY, INC., FORT LEE, NJ, ADVISED THEY HAD TWO SEPARATE

ACCOUNTS FOR THE FILM "DEEP THROAT", ONE BEING AQUARIUS

RELEASING, INC., AND THE OTHER DAMIANO FILM PRODUCTIONS,

INC. HE STATED MOST SHIPMENTS WERE MADE THROUGH THE

AQUARIUS ACCOUNT.

END

DSS FBI WA DC FOR THREE CLR

b6
b7c

REC-106

145-5049-3

JUN 1 1973

6-14

57 JUN 5 1973

Mr. Cleveland

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR001 MI PLAIN

MAY 31 1973

7:55PM NITEL 5/31/73 PMM

TELETYPE

TO ACTING DIRECTOR (145-5049)

(145-5139)

(92-6701)

ATTN: GENERAL INVESTIGATIVE DIVISION AND SPECIAL
INVESTIGATIVE DIVISION - ORGANIZED CRIME UNIT

NEW YORK (145-3400)

FROM MILWAUKEE (145-349) 1P

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Gandy _____
Mr. Minz _____
Mr. Eardley _____
Mrs. Hogan _____

PUBLIC SHOWING OF MOTION PICTURE FILM ENTITLED "DEEP THROAT,"
DIRECTOR, GERARD DAMIANO, AKA ET AL, ITOM - CONSPIRACY, AR.
OO: NEW YORK.

RE NEW YORK TEL TO BUREAU, 5/29/73 AND NEW YORK TEL
TO BUREAU, 5/30/73.

USA DAVID J. CANNON ADVISED INSTANT DATE HE DOES NOT
WISH TO ISSUE SUBPOENA DUCES TECUM AT THIS TIME FOR [REDACTED]

[REDACTED] DAMIANO FILM PRODUCTIONS PERTAINING TO INTERSTATE
SHIPMENT OF "DEEP THROAT" AS REQUESTED BY NEW YORK
END PAGE ONE

20 JUN 1 1973

2 XEROX
JUN 5 1973

55 JUN 7 1973

UNRECORDED COPY FILED IN 145-5139-99-6701

PAGE TWO

MI 145-349

AS MR. CANNON FEELS THIS ACTION WOULD BE SUPERFLUOUS TO PROSECUTION CURRENTLY UNDERWAY IN MILWAUKEE REGARDING THIS MATTER, AS THE ELEMENT OF INTERSTATE TRANSPORTATION OF FILM "DEEP THROAT" FROM NEW YORK CITY TO CHICAGO ESTABLISHED.

USA CANNON IS NOT OPTIMISTIC OF AN EARLY PROSECUTION OF DISTRIBUTORS "DEEP THROAT" NOR OWNERS AND MANAGER OF PARKWAY THEATRE, MILWAUKEE, AS U.S.D.J. JOHN W. REYNOLDS, EDW, MILWAUKEE, HAS STILL NOT RULED ON MOTIONS CURRENTLY BEFORE HIM PERTAINING TO THIS MATTER AND MR. CANNON DOES NOT EXPECT JUDGE REYNOLDS TO SO RULE IN NEAR FUTURE. MR. CANNON OF OPINION THAT NEITHER OF FEDERAL JUDGES, EDW, WILL FIND ANYTHING OBSCENE. MR. CANNON HOPEFUL OF FAVORABLE RULING FROM U.S. SUPREME COURT IN MATTER CURRENTLY BEFORE COURT U.S. VS. ORITO U.S. SUPREME COURT DOCKET NUMBER 70-69, CONCERNING CONSTITUTIONALITY OF TITLE 18, USC, END PAGE TWO.

PAGE THREE

MI 145-349

SECTION 462, WHICH CASE ORIGINATED EDW IN ORDER PROSECUTION
REGARDING "DEEP THROAT" AND OTHER ITOM VIOLATIONS IN
EDW MAY PROCEED.

E N D

cc - Mr Cleveland

NR 5/29/73
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR027 NY PLAIN

MAY 29 1973

716PM URGENT 5-29-73 CJR

TO ACTING DIRECTOR 145-5049

TELETYPE

FROM NEW YORK 145-3400

2P

P

DB NR
GERARD DAMIANO AKA; ET AL; ITOM; OO NEW YORK

Mr. Felt	
Mr. Baker	
Mr. Callahan	
Mr. Cleveland	
Mr. Conrad	
Mr. Gebhardt	
Mr. Jenkins	
Mr. Marshall	
Mr. Miller, E.S.	
Mr. Soyars	
Mr. Thompson	
Mr. Walters	
Tele. Room	
Mr. Baise	
Mr. Barnes	
Mr. Bowens	
Mr. Herington	
Mr. Conmy	
Mr. Murr	
Mr. Eardley	
Mrs. Hogan	

REMMTEL TO BUREAU, 5/23/73. sc/8

[REDACTED] ALSO KNOWN AS [REDACTED] AND LINDA

LOVELACE LOCATED RESIDING IN ROOM 869-870, PLAZA HOTEL,

59TH STREET AND FIFTH AVENUE, NEW YORK, NEW YORK.

ON 5/28/73, [REDACTED] INTERVIEWED BY BUREAU

AGENTS [REDACTED] AND [REDACTED] IN ROOM

869-870, PLAZA HOTEL. [REDACTED] DECLINED TO MAKE ANY STATEMENT
CONCERNING KNOWLEDGE OF PRODUCER, ACTORS, AND ACTRESSES APPEARING
IN MOTION PICTURE FILM "DEEP THROAT" OUT OF FEAR OF BEING
BLACKBALLED IN THE COMMERCIAL PORNOGRAPHIC INDUSTRY. dd

[REDACTED] ADVISED LINDA LOVELACE IN BED AND DID NOT CARE TO
DISTURB HER. AT REQUEST OF SPECIAL AGENTS, [REDACTED] LEFT ROOM

TO ASK LINDA LOVELACE TO MEET AGENTS AND MAKE HER WISHES
NOT TO BE INTERVIEWED KNOWN IN PERSON TO THE CONTACTING AGENTS. REC-5 145-5049-5

END PAGE ONE

EX-117

12 JUN 5 1973

57 JUN 7 1973

Div 9

PAGE TWO

[] LEFT ROOM AND WALKED TOWARD A BACK BEDROOM. b3
[] RETURNED IN ABOUT ONE MINUTE AND SAID LINDA LOVEFACE b6
WAS GETTING READY FOR A TELEVISION SHOW AND DID NOT CARE TO b7C
BE INTERVIEWED. AT THIS POINT SPECIAL AGENT [] SERVED
[] WITH TWO SUBPOENAS, ONE DIRECTING HIM
AND THE OTHER DIRECTING [] TO APPEAR BEFORE A
FEDERAL GRAND JURY, EDNY, AT 10:00AM, ON 5/30/73.

BUREAU WILL BE KEPT ADVISED OF ALL PERTINENT DEVELOPMENTS.

AIR MAIL COPY TO MIAMI.

END

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 29 1973

TELETYPE

NR037 NY CODE

1015PM URGENT 05-29-73 PJR

TO ACTING DIRECTOR 145-5049 92-6701

AFTN GENERAL INVESTIGATIVE DIVISION AND

SPECIAL INVESTIGATIVE DIVISION - ORGANIZED CRIME UNIT

BOSTON

CHICAGO 145-847

KANSAS CITY 145-449

LAS VEGAS 145-190

LOUISVILLE 145-286

MIAMI 145-1000

MILWAUKEE 145-349

NEWARK 145-1208

NORFOLK 145-185

TAMPA 145-379

FROM NEW YORK 145-3400 P.

-ALL OFFICES VIA WASHINGTON-

ST 100
REC 3

MCT 53

MAY 31 1973

CHANGED; PUBLIC SHOWING OF MOTION PICTURE FILM ENTITLED

"DEEP THROAT;" DIRECTOR, GERARD DAMIANO, AKA JERRY GERARD;

END PAGE ONE

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Geraghty _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conny _____
Mr. Minz _____
Mr. Eardley _____
Mrs. Hogan _____

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b7c

TELETYPED TO

39 SEP 13 1973

XEROX

JUN 1 1973

INCOM2

RECORDED COPY FILED IN

PAGE TWO

DISTRIBUTORS: [REDACTED]

[REDACTED]

[REDACTED]

ITOM - CONSPIRACY, AR

(OO:NY).

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TITLE MARKED "CHANGED" TO SHOW GERARD DAMIANO AS DIRECTOR
OF "DEEP THROAT" AND TO ADD AKA JERRY GERARD [REDACTED]

[REDACTED]

[REDACTED]

TITLE FORMERLY CARRIED AS "GERARD DAMIANO, AKA "JERRY,"
DBA GERARD DAMIANO FILM PRODUCTIONS, INC., 251 WEST 42ND
STREET, NEW YORK, NEW YORK, FILM ENTITLED "DEEP THROAT" "ITOM."

INVESTIGATION TO DATE SHOWS GERARD DAMIANO, AKA JERRY
GERARD, 30-20 75TH STREET, JACKSON HEIGHTS, QUEENS, NEW YORK,
END PAGE TWO

PAGE THREE

AND LOUIS PERAINO, RESIDENCE UNKNOWN, FORMED DAMIANO FILM PRODUCTIONS, INC. IN 2 OR 3/1971 AND OPENED AN OFFICE IN 200 BLOCK OF WEST 42ND STREET, NEW YORK, NEW YORK. DAMIANO WROTE, DIRECTED AND EDITED, "DEEP THROAT" AND PERAINO WAS RESPONSIBLE FOR THE PRODUCTION OF SAME.

DAMIANO HAS ADVISED BUREAU AGENTS THAT HE SOLD HIS THIRD INTERESTS IN DAMIANO FILM PRODUCTIONS, INC., NOW LOCATED AT 630 NINTH AVENUE, NEW YORK, NEW YORK, TO LOU PERAINO AROUND JUNE OR JULY OF 1972 AND HAS HAD NOTHING TO DO WITH THE FIRM SINCE THAT TIME.

"DEEP THROAT" WAS SHOT AT VOYAGER MOTEL ON BISCAYNE BLVD., NORTH MIAMI, FLORIDA, AND ITS VICINITY AROUND 1/72 BY ONE LEONARD JOSEPH CAMPAGNO, [REDACTED]

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b7C

[REDACTED] LINDA TRAYNOR, AKA, LINDA LOVELACE, WHO HAS FEMALE LEAD IN PICTURE, CURRENTLY RESIDES AT PLAZA HOTEL, NEW YORK, NEW YORK, ROOM 869-870 WITH

[REDACTED] CAROL KYZER WHO HAS SUPPORTING ROLE AS BLOND NURSE IN PICTURE, RESIDES
END PAGE THREE

PAGE FOUR

AT [REDACTED] HERB STRIKER,
WHO HAS MALE LEAD IN PICTURE, RESIDES AT [REDACTED]
[REDACTED]

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b7C

RECORDS VOYAGER MOTEL, MENTIONED ABOVE, SHOW DAMIANO AND ASSOCIATES, INCLUDING ANTHONY PERAINO, 2156 LEGION STREET, BELLMORE, NEW YORK, QUARTERED AT MOTEL FROM 1/11/72 TO 1/25/72 AND ALL MOTEL BILLS PICKED UP BY DAMIANO. TERRY LEVENE, PRESIDENT AND SOLE OFFICER OF AQUARIUS RELEASING, INC., ADMITS BEING DISTRIBUTOR OF "DEEP THROAT" FOR "NEW YORK TERRITORY," WHICH ENCOMPASSES ALL OF NEW YORK STATE AND PARTS OF NEW JERSEY. LEVENE DECLINED TO IDENTIFY NATIONWIDE DISTRIBUTOR OF FILM.

NATIONWIDE DISTRIBUTOR OF FILM BELIEVED TO BE DAMIANO FILM PRODUCTIONS, INC., ROOM 1006, 630 NINTH AVENUE, NEW YORK, NEW YORK. CHECKING ACCOUNT, LATTER FIRM AT CHEMICAL BANK, 1411 BROADWAY, NEW YORK, NEW YORK, SHOW OFFICERS OF CORPORATION AS PHIL PARISI, PRESIDENT; LOUIS PERAINO, VICE PRESIDENT, AND ANTHONY PERAINO, SECRETARY-TREASURER.

[REDACTED]
END PAGE FOUR

b6
b7C
b7D

PAGE FIVE

[REDACTED] WHO HAS REQUESTED THAT HIS IDENTITY BE CONCEALED, ADVISED THAT LOU PERAINO AND JERRY DAMIANO WENT INTO BUSINESS AT THIS ADDRESS AS DAMIANO FILM PRODUCTIONS, INC. ABOUT TWO YEARS AGO. ABOUT ONE YEAR AGO, LOU PERAINO BOUGHT OUT DAMIANO AND HE, [REDACTED] HAS NOT SEEN DAMIANO IN BUILDING SINCE THAT TIME. LOU PERAINO'S BROTHER, JOE, ALSO WORKS AT DAMIANO FILM PRODUCTIONS, INC. THE MONEY FOR DAMIANO FILM PRODUCTIONS, INC. WAS REPORTEDLY PUT UP BY ROCKY PERAINO, FATHER OF LOU AND JOE PERAINO. [REDACTED]

b6
b7C
b7D

[REDACTED]
[REDACTED] LOU PERAINO AND PHIL PARISI APPEAR TO BE MAIN PRINCIPALS, AT PRESENT TIME, IN DAMIANO FILM PRODUCTIONS, INC.

b6
b7C

[REDACTED]
[REDACTED]
[REDACTED]
ON 5/23/73, US CUSTOMS, NEW YORK, NEW YORK, ADVISED ONE
END PAGE FIVE

PAGE SIX

POSITIVE PRINT OF "DEEP THROAT" MARKED "AMERICAN GOODS RETURNED," SEIZED BY US CUSTOMS 4/9/73 AT JOHN F. KENNEDY INTERNATIONAL AIRPORT, QUEENS, NEW YORK. RECORDS, LUFTANSA AIRLINES SHOW FILM SHIPPED BY MAP, BASEL, MUNICH, WEST GERMANY, VIA LUFTANSA AIRLINES CONSIGNED TO AQUARIUS RELEASING CORPORATION, 229 WEST 42ND STREET, NEW YORK, NEW YORK. CIVIL COMPLAINT FILED BY US CUSTOMS, 4/12/73 IN FEDERAL DISTRICT COURT, EDNY, AND FORFEITURE PROCEEDING PENDING. NYO CONTEMPLATES CHARGING TERRY LEVENE AND AQUARIUS RELEASING CORPORATION CRIMINALLY WITH VIOLATION OF TITLE 18, US CODE, SECTION 1462.

US CUSTOMS ADVISED FILM "DEEP THROAT" ALSO SEIZED BY US CUSTOMS AT BOSTON, MASSACHUSETTS, EARLIER THIS YEAR AND FORFEITURE PROCEEDING CONCLUDED, RESULTING IN SEIZURE OF FILM AFTER IT WAS DECLARED OBSCENE ACCORDING TO STATUTE BY A FDC JUDGE AT BOSTON.

FACTS DEVELOPED TO DATE DISCUSSED WITH AUSA, DENIS E. DILLION, CHIEF, STRIKE FORCE, EDNY, WHO AUTHORIZED PROSECUTION IN CAPTIONED MATTER.

END PAGE SIX

PAGE SEVEN

BOSTON WILL IMMEDIATELY CONTACT LOCAL OFFICE OF US CUSTOMS AND OBTAIN ALL INFORMATION REGARDING SEIZURE OF FILM "DEEP THROAT" AND RESULTS OF FORFEITURE PROCEEDING UNDER US CUSTOMS REGULATIONS. WILL ALSO, IN VIEW OF LCN CHARACTER OF THIS INVESTIGATION, CONSIDER PRESENTING TO USA FOR PROSECUTIVE OPINION UNDER TITLE 18, US CODE, SECTION 1462.

CHICAGO, KANSAS CITY, LAS VEGAS, LOUISVILLE, MIAMI, MILWAUKEE, NORFOLK, AND TAMPA, WHO ARE CONDUCTING INVESTIGATION REGARDING "DEEP THROAT" ARE REQUESTED TO IMMEDIATELY CONTACT THEIR RESPECTIVE AUSA AND, WHERE APPROPRIATE, SUGGEST THE IMMEDIATE ISSUING OF SUBPOENA DUCES TECUM DIRECTING [REDACTED]

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NEWARK, IMMEDIATELY CONTACT [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] AND ASCERTAIN FOR SUBPOENA PURPOSES IF [REDACTED]
[REDACTED]

END PAGE SEVEN

PAGE EIGHT

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[REDACTED]
[REDACTED]

ALL OFFICES ARE REQUESTED NOT TO SUBPOENA THE FOLLOWING
INDIVIDUALS AT THIS TIME SINCE NYO IS ATTEMPTING TO CONTACT
THEM AND OBTAIN THEIR COOPERATION:

GERARD DAMIANO, WHO HAS BEEN SOMEWHAT COOPERATIVE TO DATE,
LINDA [REDACTED], AND [REDACTED]

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ALL OFFICES ARE REQUESTED TO COVER LEADS EXPEDITIOUSLY
IN THIS MATTER AND SET OUT ALL LEADS BY TELETYPE.

REPORT FOLLOWS.

END

#

DLM FBI HQ

R RELAY WA CLR

CC - @Cleveland

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR032 NY PLAIN

MAY 30 1973

930PM NITEL 05-30-73 PJR

TELETYPE

TO ACTING DIRECTOR 145-5049; 92-6701

ATTN GENERAL INVESTIGATIVE DIVISION AND

SPECIAL INVESTIGATIVE DIVISION - ORGANIZED CRIME UNIT

BOSTON

CHICAGO 145-847

DENVER

LAS VEGAS 145-190

LOS ANGELES

LOUISVILLE 145-286

MIAMI 145-1000

MILWAUKEE 145-349

NEWARK 145-1208

NORFOLK 145-185

TAMPA 145-379

FROM NEW YORK 145-3400 3P

PUBLIC SHOWING OF MOTION PICTURE FILM ENTITLED

"DEEP THROAT," DIRECTOR, GERARD DAMIANO, AKA ET AL,

END PAGE ONE

ST-101

REC-32

145-5049-7

5 JUN 1 1973

DT 1

JUN 7 1973

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Genhard	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Soyars	_____
Mr. Thompson	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Bates	_____
Mr. Barnes	_____
Mr. Bowers	_____
Mr. Egan	_____
Mr. Gandy	_____
Mr. Malone	_____
Mr. Ransley	_____
Miss Gandy	_____

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UNREC COPY SENT IN

cc - Cleveland
58 JUN 11 1973

PAGE TWO

ITOM-CONSPIRACY, AR. OO NEW YORK.

REFERENCE NEW YORK TELETYPE 5/29/73. *sub*

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INVESTIGATION NYO, 5/30/73, INDICATES ONE [REDACTED]

[REDACTED] PRESENTLY ON LOCATION IN BRAZIL, SOUTH AMERICA, WAS

[REDACTED] EMPLOYED BY GERARD DAMIANO [REDACTED] MOTION PICTURE FILM

"DEEP THROAT" IN MIAMI, FLORIDA, THAN [REDACTED]

AKA MENTIONED IN RE TEL. [REDACTED] TO RETURN TO NYC AREA IN
ABOUT ONE MONTH.

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ON 5/29/73, LINDA LOVELACE [REDACTED]

SERVED WITH SUBPOENAS DIRECTING THEM TO APPEAR BEFORE A FEDERAL
GRAND JURY AT 10:00 AM, 5/30/73. APPEARANCE ADJOURNED UNTIL
10:00 AM, 6/6/73, AT REQUEST OF DEFENSE COUNSEL.

FOR INFORMATION OF BOSTON OFFICE, FILM "DEEP THROAT"
ARRIVED LOGAN AIRPORT, BOSTON ON 3/13/73, HAVING BEEN IMPORTED
INTO UNITED STATES FROM CANADA BY SACKS THEATRES CORPORATION,
BOSTON, MASSACHUSETTS. ON 3/16/73, FILM SEIZED BY UNITED STATES
CUSTOMS AND COMPLAINT FILED. GERARD DAMIANO FILM PRODUCTIONS
INCORPORATED, 630 NINTH AVENUE, NEW YORK, NEW YORK, FILED A
END PAGE TWO

PAGE THREE

NOTICE OF CLAIM AS OWNER OF THE FILM. FILM JUDGED OBSCENE
ACCORDING TO STATUTE BY FEDERAL DISTRICT COURT JUDGE MUNAY,
DISTRICT OF MASSACHUSETTS, AND FILM FORFEITURED PURSUANT TO
PROVISIONS OF 19 USC SECTION 1305 (A). LATTER CASE HAS CIVIL
DOCKET NUMBER MC73-54-M. UNITED STATES DISTRICT COURT, DISTRICT
OF MASSACHUSETTS.

END

GWS WAH DC

ACK HOLD FOR ONE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 23 1973

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Edwards	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Soyars	_____
Thompson	_____
Walters	_____
Tele. Room	_____
Mr. Boise	_____
Mr. Barnes	_____
Mr. Bowler	_____
Mr. Huston	_____
Mr. Callahan	_____
Mr. Mohr	_____
Mr. Eardley	_____
Mrs. Hogan	_____

NR008 MM PLAIN

708 PM NITEL 5-23-73 AXN

TO ACTING DIRECTOR

NEW YORK

FROM MIAMI 145-1000 3 PAGES

GERARD DAMIANO, AKA "JERRY", DBA GERARD DAMIANO FILM PRODUCTIONS, INC., 251 W. 42ND ST., NEW YORK, NEW YORK, FILM ENTITLED "DEEP THROAT", ITOM, OO: NEW YORK.

RE MIAMI LETTER TO BUREAU 12-7-72 AND MIAMI LETTER TO NEW YORK 12-19-72. EX-112 REC 99 145-5049-8
FOR INFORMATION OF BUREAU AND NEW YORK, MIAMI IS IN POSSESSION OF RECENTLY PUBLISHED PAPERBACK BOOK "INSIDE LINDA LOVELACE" BY LINDA LOVELACE, "STAR OF WELL- KNOWN HARD-CORE OBSCENE FILM "DEEP THROAT". BOOK IS PUBLISHED BY PINNACLE BOOKS, INC., 116 E. 27TH ST., NEW YORK, NEW YORK. FOLLOWING IS QUOTED FROM PAGES 99 AND 100 OF BOOK RELATIVE TO SA [REDACTED]

[REDACTED] MIAMI, TO WHOM CAPTIONED MATTER IS ASSIGNED AT MIAMI:

END PAGE ONE

60 JUN 7 1973

53 JUN 14 1973

PAGE TWO

"THIS BRINGS US TO ABOUT JANUARY OF 1973, AND WHILE I WAS FUMING AT GOLDSTEIN, THE JUDGES HERE AND THERE WERE FUSSING ABOUT THE RUNNING OF DEEP THROAT. ONE FINE SUNNY DAY IN MIAMI, I RECEIVED A CALL FROM AN FBI AGENT NAMED [REDACTED] HE WANTED TO DISCUSS THE CASE AGAINST THE MOVIE THAT WAS BEING PUT TOGETHER IN NEW YORK. HE CAME BY SEVERAL TIMES, AND WASN'T VERY PLEASANT. HE WAS GETTING HEAT, I GUESS, BECAUSE THEY THOUGHT THE PORNO STUFF WAS ALSO SHOT IN MIAMI, HIS DOMAIN. HE HAD NO ANSWERS TO OFFER, BECAUSE HE HAD NO KNOWLEDGE OF THE FILM AT ALL. HE WANTED ME TO FILL HIM IN, I GUESS.

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"I TOLD HIM THE TRUTH AS I'VE STATED IT HERE. THE PORNO STUFF WAS SHOT IN NEW YORK AND THE REST WAS MADE IN FLA. I HAD NOTHING MORE TO OFFER THAN THAT. HE LOOKED AT THE OLD CAR I HAD, AND SUGGESTED THAT I COULDN'T BE IN ON THE PROFITS IF I HAD WHEELS THAT OLD. ALL HE WANTED WAS MY COOPERATION IN THE FORTH-COMING PROCEEDING IN NEW YORK. NOPE, I SAID, NOT INTERESTED. SO HE SAID: "NOW I'M NOT THREATENING YOU, BUT HOW WOULD YOU LIKE TWO FBI AGENTS TO WAKE YOU IN THE MIDDLE OF THE NIGHT AND TAKE YOU PHYSICALLY TO NEW YORK TO TESTIFY BEFORE A GRAND JURY?" DOES THAT READ LIKE A THREAT TO YOU? IT DID TO ME, KIND OF."

7

END PAGE TWO

PAGE THREE

"WHAT THEY WERE TRYING TO DO IS USE ME AS STATE'S WITNESS I GUESS, OR WHO KNOWS WHAT. BUT IT DIDN'T HAPPEN, EVEN THOUGH HE KEPT BUGGING ME UNTIL I LEFT MIAMI. WHERE DID I GO? TO NEW YORK. BUT NOT FOR THE FBI. I WENT TO BEGIN SHOOTING ON DEEP THROAT II."

STATEMENTS MADE BY LOVELACE SET OUT ABOVE, ARE COMPLETELY FICTITIOUS. SA [] HAS NEVER SEEN NOR INTERVIEWED LOVELACE ALTHOUGH SEVERAL EFFORTS WERE MADE TOWARD THAT PURPOSE AT FORMER RESIDENCE LOVELACE AND []

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[] ON 11-30, 12-5, 12-10, 12-21 AND 12-28-72, AT 1050 NE 128TH ST., NORTH MIAMI, FLA.

[] WAS INTERVIEWED ON 12-10-72 AND RESULTS FURNISHED NEW YORK IN FD-302 FORM. [] RELUCTANT TO FURNISH FULL DETAILS REGARDING PRODUCTION "DEEP THROAT" AND DID NOT. HE DECLINED TO FURNISH INFORMATION REGARDING LINDA'S PARTICIPATION IN "DEEP THROAT". HE WAS REQUESTED BY SA [] TO HAVE LINDA CONTACT SA [] HE STATED SHE WAS NOT AVAILABLE IN MIAMI AREA. NO THREATS, DIRECT OR IMPLIED, WERE COMMUNICATED TO TRAYNOR BY SA []

NOTED "INSIDE LINDA LOVELACE", WHICH IS LARGELY OBSCENE AS TO WORDING, IS DEDICATED "TO [] - THE CREATOR".
END

WA PLS ACK FOR SIX (6) TELS GA
HOLD FOR ONE

ACK FOR SIX

VAE FBIHQ

*Mi HAS BEEN INSTRUCTED TO
OBTAIN AFFIDAVIT FROM RA.
HARR. 5-4-73.*

F B I

Date: 5/25/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Soyars	_____
Mr. Thompson	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinlev	_____
Mr. Armstrong	_____
Mr. Bowers	_____
Mr. Herington	_____
Ms. Herwig	_____
Mr. Mintz	_____
Mrs. Neenan	_____

TO: ACTING DIRECTOR, FBI

FROM: SAC, MIAMI (145-1000) (P)

SUBJECT: GERARD DAMIANO, aka
 "Jerry" dba
 Gerard Damiano Film Productions, Inc.,
 251 West 42nd Street,
 New York, New York,
 Film Entitled "Deep Throat"
 ITOM

(OO: NEW YORK)

Re Miami letter to the Bureau dated 12/7/72, Miami
 letter to New York dated 12/19/72, and Miami teletype to the
 Bureau dated 5/23/73.

Enclosed for the Bureau are the original and one
 signed copy of the affidavit of SA [redacted] Miami,
 in connection with captioned matter. One copy of the same
 affidavit is furnished to New York Office.

REC 99

145-5049-9 (info)

ENCLOSURE ATTACHED

ENCLOSURE

2 - Bureau (Enc. 2)
 1 - New York (Enc. 1)
 1 - Miami
 WPK:kam
 (4)

JUN 7 1973

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

**RE: GERARD DANIANO, aka;
ET AL
ITOM**

ENCLOSURES: Original and one signed copy of affidavit
of SA

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b7C

TO DIRECTOR

FROM MIAMI

MIAMI FILE 145-1000

Transmitted to the Bureau by
Airtel dated 5/26/73.

145-91-9

ENCLOSURE

Miami, Florida

May 25, 1973

A F F I D A V I T

I, being duly sworn, do depose and say:

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I am a Special Agent of the Federal Bureau of Investigation and have been so employed since March 3, 1952. Since March 3, 1959, I have been employed in the Miami, Florida, Office of the Federal Bureau of Investigation.

In connection with my official duties and work as a Special Agent of the Federal Bureau of Investigation, I was assigned the Miami area investigation relating to the interstate transportation of obscene matter involving a motion picture film entitled "Deep Throat". I first conducted investigation in this matter on October 18, 1972, and I am still conducting investigation in that matter.

On May 22, 1973, it came to my attention that a paperback book entitled "Inside Linda Lovelace", authored by Linda Lovelace, who played the leading female role in the film "Deep Throat", had been published by Pinnacle Books, Inc., 116 East 27th Street, New York, New York. I purchased a copy of that book at Miami Beach, Florida, on May 22, 1973.

In reading "Inside Linda Lovelace" on May 22, 1973, I noted the following wording which is contained on pages 99 and 100:

"This brings us to about January of 1972, and while I was fuming at Goldstein, the judges here and there were fussing about the running of Deep Throat. One fine sunny day in Miami, I received a call from an FBI Agent named He wanted to discuss the case against the movie that was being put together in New York.

He came by several times, and wasn't very pleasant. He was getting heat, I guess, because they thought the porno stuff was also shot in Miami, his domain. He had no answers to offer, because he had no knowledge of the film at all. He wanted me to fill him in, I guess.

"I told him the truth as I've stated it here. The porno stuff was shot in New York and the rest was made in Florida. I had nothing more to offer than that. He looked at the old car I had, and suggested that I couldn't be in on the profits if I had wheels that old. All he wanted was my cooperation in the forthcoming proceeding in New York. Nope, I said, not interested. So he said: 'Now I'm not threatening you, but how would you like two FBI Agents to wake you in the middle of the night and take you physically to New York to testify before a Grand Jury?' Does that read like a threat to you? It did to me, kind of.

"What they were trying to do is use me as State's witness I guess, or who knows what. But it didn't happen, even though he kept bugging me until I left Miami. Where did I go? To New York. But not for the FBI. I went to begin shooting on Deep Throat II."

I categorically deny that I have ever met, interviewed or otherwise been in contact with Linda Lovelace. The above statements attributed to her in the paperback book "Inside Linda Lovelace" are completely fictitious.

I did make efforts to locate and formally interview Linda Lovelace at her last known residence, 1050 N.E. 128th Street, North Miami, Florida, on November 30, December 5, December 10, December 21, and December 28, 1972. I was completely unsuccessful in these efforts.

On December 10, 1972, [redacted]
[redacted] then
living at [redacted] a person

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whom I have known for several years and whom I had contacted in years past regarding his local production of sexually oriented photographs, contacted me; acknowledging my efforts described above.

[] was thoroughly interviewed by me on December 10, 1972, relative to the production and interstate transportation of the sexually oriented motion picture film "Deep Throat". An appropriate interview report form consisting of two pages was dictated on December 13, 1972. Copies of this interview report form were provided the New York Office of the Federal Bureau of Investigation and the original thereof is maintained at the Miami Office of the FBI. During the interview of December 10, 1972,

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b7c

[] was reluctant to furnish me with full details regarding the production of "Deep Throat" and he did not furnish full details.

[] also declined to furnish information regarding participation of Linda Lovelace in "Deep Throat". He stated that his "wife" is named Linda, but stated she had never used the last name Lovelace. He stated he had no specific information as to how "Deep Throat" was transported from Florida to the state of New York or any other state outside Florida, if, in fact, it was so transported.

[] was requested by me to have Linda contact me.

[] stated she was not available in the Miami area because she was making a trip to South Carolina. He expected her to return to the Miami area about one week later. He stated that during that interim he would consider asking Linda to submit to interview.

As pointed out above, continuing efforts were made by me to locate Linda Lovelace for interview purposes until December 28, 1972.

Information was developed in the neighborhood where Linda

[] were living that they had moved out and had

reportedly gone to New York City.

At no time during the interview of [REDACTED] on December 10, 1972, did I make any threats, directed or implied, toward either him, Linda Lovelace, or anyone else.

It is observed that the dedication page of the paperback book "Inside Linda Lovelace" reads "To [REDACTED] -The Creator".

I have read the above, consisting of this page and three other pages and certify that they accurately reflect the true facts.

[REDACTED]
Miami, Florida
May 25, 1973

Subscribed and sworn to before me
at Miami, Dade County, Florida, this
25th day of May, 1973.

Phyllis Jeanne Webb

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES FEB. 26, 1975
GENERAL INSURANCE UNDERWRITERS, INC.



F B I

Date: 7/12/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (145-5049)

FROM: SAC, NEW YORK (145-3400) (P)

SUBJECT: PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT"
DIRECTOR, GERARD DAMIANO aka
ET AL
ITOM - CONSPIRACY, AR
(OO:NY)

For information of all offices conducting investigation
re "DEEP THROAT" and who may contemplate subpoenaing

- 2 - Bureau*
- 2 - Albany
 - 2 - Boston (145-602)
 - 2 - Chicago (145-847)
 - 2 - Denver
 - 2 - Detroit (145-709)
 - 2 - Houston (145-373)
 - 2 - Kansas City (145-366)
 - 2 - Jacksonville (145-352)
 - 2 - Las Vegas (145-190)
 - 2 - Los Angeles (145-1851)
 - 2 - Louisville (145-286)
 - 3 - Miami (145-1000)
 - 2 - Milwaukee (145-349)
 - 2 - Newark (145-1267)
 - 2 - Norfolk (145-185)
 - 2 - Phoenix (145-372)
 - 2 - Tampa (145-379)
 - 3 - New York (145-3400)

b3

JJM:tm
(41)

REC-20

JUL 14 1973

b6
b7C

54 JUL 19 1973
Special Agent in Charge

Sent _____ M Per _____

NY 145-3400

[redacted] aka to testify before a Federal Grand Jury it is
to be noted that on [redacted]

b3

Those AUSA's desiring copy of [redacted] grand
jury testimony may do so by contacting Special Attorney
FRED BARLOW, Strike Force, EDNY, 35 Tillary St., Room
327-A, Brooklyn, NY, 212-596-4319.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN NEW YORK	DATE JUL 18 1973	INVESTIGATIVE PERIOD 4/9/73 - 7/6/73
TITLE OF CASE PUBLIC SHOWING OF MOTION PICTURE FILM ENTITLED, "DEEP THROAT"; DIRECTOR, GERARD DAMIANO, aka Jerry Gerard; DISTRIBUTORS: TERRY LEVENE, PRESIDENT, AQUARIUS RELEASING INC., 229 WEST 42ND STREET, NY, NY; (TITLE CONTINUED PAGE B)		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY lcn
		CHARACTER OF CASE ITOM - CONSPIRACY; AR	

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NYteletype to Bu, 5/29/73 and 5/30/73.
 NYairtel to LA, 5/30/73 (Interoffice).
 Miteletype to Bu, 5/31/73.
 NFnitel to NY, 5/31/73 (Interoffice).
 CGairtel to NY, 5/31/73 (Interoffice).
 BSairtel to NY, 5/31/73 (Interoffice).
 NFnitel to NY, 6/6/73 (Interoffice).
 MMairtel to NY, 6/6/73 (Interoffice).
 NYairtel to NK, 6/6/73 (Interoffice).
 LAairtel to NY, 6/12/73 (Interoffice).
 NKairtel to NY, 6/13/73 (Interoffice).
 CGairtel to NY, 6/18/73 (Interoffice).
 NKairtel to NY, 6/19/73 (Interoffice).
 Tplet to NY, 6/19/73 (Interoffice).
 NYairtel to BS, 6/26/73 (Interoffice).

 92-6701
 Unrecorded Copy

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:		ENCLOSURE ATTACHED	ENCLOSURE
1 - Bureau (145-5049) (Encls. 2) (3 - 92-6701) 1 - Strike Force, EDNY (ATTN: AUSA FRED BARLOW) 2 - Albany 2 - Boston (145-602) (Encls. 2) 2 - Chicago (145-847) (Encls. 2) 3 - New York (145-3400) (1 - 92-2681) (COPIES CONT'D)		5049-11 JUL 20 1973	REC 22 ST-112

Dissemination Record of Attached Report				Notations
Agency	Request Recd.	Date Fwd.	How Fwd.	CC, AAG, Criminal Division, Organized Crime & Racketeering Section Room 170
1cc AAG, Criminal	JCG/20	7/24/73	40	
By				

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TITLE CONTINUED



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DAMIANO FILM PRODUCTIONS, INC.,
630 9TH AVENUE, NY, NY

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ENCLOSURES

Enclosed herewith for the information of the Bureau and all offices receiving a copy of this report is one copy each of two decisions on obscenity of motion picture film entitled, "Deep Throat" rendered by Judge JOEL J. TYLER of the Criminal Court of the City of New York and USDC Judge FRANK J. MURPHY, District of Massachusetts.

COPIES CONTINUED

- 2 - Denver (Encls. 2)
- 2 - Detroit (Encls. 2) (145-709)
- 2 - Houston (145-373) (Encls. 2)
- 2 - Kansas City (145-366) (Encls. 2)
- 2 - Jacksonville (145-352) (Encls. 2)
- 2 - Las Vegas (145-190) (Encls. 2)
- 2 - Los Angeles (145-1851) (Encls. 2)
- 2 - Louisville (145-286) (Encls. 2)
- 3 - Miami (145-1000) (Encls. 2)
(1 - 92-6204)
- 2 - Milwaukee (145-349) (Encls. 2)
- 2 - Newark (145-1267) (Encls. 2)
- 2 - Norfolk (145-185) (Encls. 2)
- 2 - Phoenix (145-372) (Encls. 2)
- 2 - Tampa (145-379) (Encls. 2)

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ADMINISTRATIVE

It is noted that the period of this report is in excess of that desired by the Bureau; however, this case has been kept in a current status by more expeditious means of communication.

An additional copy of this report is being designated for the Bureau under the 145 classification in the event the Bureau may desire to disseminate a copy of this report to the Department.

Two information copies of this report are being furnished designated offices since these offices have prosecution pending or are contemplating prosecution in their respective territories re the motion picture film entitled, "Deep Throat". These offices may desire to furnish one of the two copies of this report to interested AGA for possible assistance in prosecution

It is noted that [redacted] mentioned in the body of this report as [redacted]

[redacted]
is the subject of a current 92 case in the NYO, Bufile 92-6701, NYfile 92-2681, MMfile 92-6204 (OO:MM).

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It is further noted that [redacted] has been identified by informants of the NYO as a [redacted]

[redacted]
[redacted]

Also, it is noted that [redacted] mentioned in the body of this report, is reported to be [redacted]

[redacted]

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INFORMANT

The confidential source mentioned in the body of this report as one who has knowledge of [REDACTED]

[REDACTED] telephone number [REDACTED] who has requested that his identity be concealed at this time.

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NY 145-3400

INFORMANT

The confidential source who maintains records of business and mercantile establishments in the New York City area is

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LEADS

ALBANY

AT ALBANY, NEW YORK. Will contact Secretary of State's Office and obtain one certified copy each of incorporation records pertaining to the following firms:

Damiano Film Productions, Inc., Room 1006
630 9th Avenue, New York, New York

Bryanston Distributors, Inc., Room 209
630 9th Avenue, New York, New York

Cue Enterprises, Inc.,
630 9th Avenue, New York, New York

Aquarius Releasing, Inc.,
229 West 42nd Street, New York, New York

NEW YORK

AT BROOKLYN, NEW YORK. Will maintain close contact with AUSA FRED BARLOW, Strike Force, EDNY, to insure early presentation of this case to a Federal Grand Jury.

*

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COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - Strike Force, EDNY (ATTN: AUSA FRED BARLOW)

Report of: [REDACTED] Office: New York, New York

Date: JUL 18 1973

Field Office File #: 145-3400

Bureau File #: 145-5049

Title: PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT";
DIRECTOR, GERARD DAMIANO;
DISTRIBUTORS: TERRY LEVENE, PRESIDENT;
AQUARIUS RELEASING INC., 229 WEST 42ND
STREET, NEW YORK, NEW YORK;

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Synopsis:

[REDACTED]
DAMIANO FILM PRODUCTIONS, INC.,
630 9TH AVENUE, NEW YORK, NEW YORK

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATERIAL -
CONSPIRACY; ANTI - RACKETEERING

Synopsis: Investigation instituted to determine if importation of motion picture film entitled, "Deep Throat" into US is in violation of ITOM Statute (T18, USC, Sec. 1462). Latter film imported from Munich, West Germany, 4/3/73, via Lufthansa Airlines under Airway Bill # 220/98708396, consigned to Aquarius Releasing Inc., 229 W. 42nd Street, NY, NY, (Aquarius) and was seized by US Customs (USC) at JFKI Airport, Queens, NY, on 4/9/73. Copy of "Deep Throat" also seized by USC at Boston, Mass. on 3/16/73 after being imported from Toronto, Canada, on 3/13/73 via Allegheny Airlines on Entry # A04172. Gerard Damiano Film Productions Inc., NYC (Damiano) filed notice of claim as owner of latter film. AUSA, EDNY authorized prosecution. Results of review of "Deep Throat" seized by USC 4/9/73 set out. Documentation showing TERRY LEVENE as President, sole officer and director of Aquarius set out. Documentation showing officers of Damiano as PHILLIP PARISI, President; LOUIS PERAINO, Vice President, and ANTHONY PERAINO, Secretary - Treasurer, set out. Results of interviews with some participants in making of "Deep Throat" set forth. Voyager Motel, North Miami, Florida, registration records showing residency of participants and [REDACTED] at latter motel during reported filming of "Deep Throat" scenes in Florida area during January,

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1972. set forth. Information regarding	
	set out.

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DETAILS

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REGISTRATION RECORDS AT
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PICTURE FILM ENTITLED, "DEEP THROAT"
BY NEW YORK CITY POLICE DEPARTMENT
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NEW YORK, NEW YORK..... 177 - 178

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PREDICATION

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Investigation instituted in this matter to determine if the importation of the motion picture film entitled "Deep Throat" into the United States on April 9, 1973 is in violation of the Interstate Transportation of Obscene Matter Statute, Title 18, United States Code, Section 1462.

NY 145-3400

INFORMATION CONCERNING THE SEIZURE
OF ONE 35MM. FILM PRINT ENTITLED,
"DEEP THROAT" IMPORTED FROM MUNICH,
WEST GERMANY AND SEIZED BY US BUREAU
OF CUSTOMS AT QUEENS, NY ON APRIL
9, 1973.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/25/73

IRVING FISHMAN, Director, Imports and Compliance Division, United States Customs Building, Battery Park, New York, New York, advised from records that on April 9, 1973, representatives of the Bureau of Customs at John Fitzgerald Kennedy (JFK) International Airport seized the motion picture film entitled "Deep Throat". This film was consigned to Aquarius Releasing Corporation, 229 West 42nd Street, New York, New York, from MAP, Basel, Munich, West Germany. The film has entry number KF22965 dated April 3, 1973 and was imported via Lufthansa Airlines under airway bill number 220/98708396.

According to Mr. FISHMAN, the film "Deep Throat" was originally shipped on January 3, 1973 via Lufthansa Airlines under Lufthansa Airway bill number 220/91186325 consigned to MAP Basel Munich, West Germany.

Mr. FISHMAN stated a complaint was filed by United States Customs on April 12, 1973 in the Federal District Court, Eastern District of New York (EDNY) (civil docket number 73C504) for forfeiture proceedings under Title 18, United States Code, Section 1305.

According to Mr. FISHMAN, the latter matter is being handled by Assistant United States Attorney (AUSA) CYRIL HYMAN of the Civil Division, EDNY, telephone number 596-3562.

Mr. FISHMAN added that a copy of the motion picture film entitled "Deep Throat" had been seized recently at Boston, Massachusetts and the film subsequently forfeited after a Federal District Court Judge in Boston, Massachusetts ruled that the film was obscene according to statute.

Interviewed on 5/23/73 at New York, New York File # NY 145-3400
by SA [redacted] :kwp Date dictated 5/24/73

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INFORMATION CONCERNING THE SEIZURE OF
ONE 35 MM. FILM PRINT ENTITLED, "DEEP
THROAT" IMPORTED FROM TORONTO, CANADA
AND SEIZED BY THE US BUREAU OF CUSTOMS
AT BOSTON, MASSACHUSETTS ON MARCH 16,
1973.

JJM:kwp
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By communication dated May 31, 1973, the Boston Office of the Federal Bureau of Investigation (FBI) advised as follows:

On May 31, 1973, RUFUS E. STETSON, JR., Regional Counsel, United States Custom Service, Regional Office, John F. Kennedy Federal Building, Boston, Massachusetts, advised that on March 16, 1973 United States Custom Service seized the film "Deep Throat". He stated the matter was immediately referred to the United States Attorney's Office at Boston, Massachusetts where it was handled by Assistant United States Attorney (AUSA) FREDERIC R. KELLOGG. He advised that they proceeded under the Federal statute Title 19, United States Code, Section 1305, which concerns the importation of obscene matters from outside the United States. He stated that the latter is a civil proceeding.

On May 31, 1973, AUSA FREDERIC KELLOGG, Boston, Massachusetts, advised that United States District Court file C.A. 73-54-M (civil case) concerns the seizure by the United States Custom Service on March 16, 1973 of a 35 millimeter film print entitled "Deep Throat" which was imported by air from Toronto, Canada by Sack Theatre, 539 Washington Street, Boston, Massachusetts. The carrier was Allegheny Airlines flight number 423 which arrived in Boston from Toronto, Canada on entry number A04172.

Mr. KELLOGG advised that the trial was held before United States District Court Judge FRANK J. MURRAY, Boston, Massachusetts and accordingly a judgement was entered for the government and the film was forfeited.

Mr. KELLOGG advised that the defendants in this case have filed an appeal before United States Court of Appeals, Boston, Massachusetts and no decision has been rendered by the latter court to date.

Mr. KELLOGG advised that he would furnish no prosecutive opinion at this time inasmuch as the civil case has been appealed to the United States Court of Appeals and no decision has been rendered to date. Also, he suggested that prior to his furnishing

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an opinion under Title 18, United States Code, Section 1462, he would have to recommend full consultation with departmental Attorney JOHN L. MURPHY, Chief of the Government Regulation Section, and Attorney DONALD FEIGE of the same section, both specializing in handling obscene matter cases.

Mr. KELLOGG made available a copy of United States District Court Judge MURRAY's decision on the obscenity of the motion picture film entitled, "Deep Throat" seized by United States Customs at Boston, Massachusetts on March 16, 1973.

A copy of Judge MURRAY's decision in above case is enclosed herewith.

NY 145-3400

OPINION OF ASSISTANT UNITED STATES
ATTORNEY, STRIKE FORCE, EASTERN
DISTRICT OF NEW YORK, RELATIVE TO
THE PROSECUTIVE MERITS OF THIS CASE.

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NY 145-3400

On May 29, 1973, the facts of this case were discussed with Assistant United States Attorney (AUSA) DENNIS E. DILLON, Chief, Strike Force, Eastern District of New York (EDNY). AUSA DILLON authorized prosecution of captioned subjects under Title 18, United States Code, Section 1462.

NY 145-3400

RESULTS OF REVIEW OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT" BY BUREAU
AGENTS AFTER SEIZURE BY UNITED STATES
BUREAU OF CUSTOMS AT QUEENS, NEW YORK
ON APRIL 9, 1973.

FEDERAL BUREAU OF INVESTIGATION

Date 6/11/73

At 12:32 PM. SAS [redacted] and [redacted] met with Assistant United States Attorney (AUSA) DENIS E. DILLON, Chief, Strike Force, Eastern District of New York (EDNY), at the United States Bureau of Customs (Customs), 201 Varick Street, New York, New York, for the purpose of viewing a 35mm motion picture film entitled "Deep Throat", seized by Customs on April 9, 1973, at John F. Kennedy International Airport.

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The first scene in the picture is that of LINDA LOVELACE walking alongside a canal to a two door Cadillac, which she enters and drives away. LOVELACE eventually drives the Cadillac into a driveway of a two car garage. LOVELACE gets out of the Cadillac and carries some packages into the residence. The scene then shifts to the kitchen, where a white female, HELEN, is seated on a table with her legs spread apart exposing her pudendum. There is a close-up shot of a male performing an act of cunnilingus on HELEN. During this sequence, there are close-up shots vividly depicting the tongue of the male in contact with HELEN's labia major, labia minor and clitoris. HELEN is smoking during the activity and at one point raises the male's head up, looks him straight in the eye and says "Does my smoking bother you while you're eating". This scene ends with HELEN throwing her cigarette in the sink.

The next scene shows HELEN and LOVELACE seated together at the edge of a swimming pool. LOVELACE tells HELEN that she doesn't enjoy sex; that she feels tingly all over at first when engaging in sex and then, nothing! HELEN then tells LOVELACE that she's got to find what's right for her and experiment. LOVELACE agrees to try anything.

The scene then shifts to a room where a white male commits an act of buggery on LOVELACE with close-up shots clearly depicting this activity. The male withdraws his penis from the

On 6/7/73 New York, New York File # NY 145-3400
by SAS [redacted] lip Date dictated 6/11/73

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anus of LOVELACE and ejaculates on her buttocks.

The next scene shows LOVELACE committing fellatio on a white male.

The scene then shifts back to the living room where a nude white male is committing cunnilingus on HELEN while another nude white male is sucking on HELEN's breast.

There then follows a series of scenes vividly depicting LINDA committing fellatio and intercourse and HELEN engaged in a sex orgy with two nude white males. One of the males engages HELEN in an act of buggery.

The scene then moves outdoors where HELEN and LOVELACE are seen walking together discussing the party that they just had. LOVELACE remarks that she had a great time but that she didn't hear any bells ringing and bombs or rockets going off. LOVELACE inquires of HELEN what she can do and HELEN suggests she get in touch with a psychiatrist. Dr. TONG. For she feels she, LOVELACE, may have a mental block or something about sex.

The next scene shifts to the psychiatrist's office where the doctor suggests that perhaps LOVELACE's problem is physical rather than psychological and asks her if she has ever had a physical examination. The doctor then takes LOVELACE into an examination room where he lifts LOVELACE's dress and she removes her panties. The doctor then calls for his nurse who arrives in the examining room with a basin of water. The doctor dips the tip of his fingers in the water, rubs them together and dries them on a towel. He dismisses the nurse and proceeds to examine LOVELACE's pudendum with a telescope. The doctor examines it and exclaims "Its amazing, Miss LOVELACE, you don't have a clitoris". He tells her that she did not hear any bells ringing

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and bombs or rockets going off because she has no "tinkler".

LOVELACE begins to cry and tells the doctor that when she has intercourse, she gets excited in the throat. The doctor then asks LOVELACE to open her mouth and he looks down her throat and exclaims "There it is" and tells her that her clitoris is deep down in the bottom of her throat at which point LOVELACE starts to cry hysterically. The doctor tries to console her and LOVELACE comments "How would you like it if your balls were in your ears?" The doctor is taken back by LOVELACE's comment and replies "If I did, I could hear myself coming". The doctor tells LOVELACE that he thinks he has her problem solved and inquires if she had ever taken a penis down to the bottom of her throat to which she replied "I choke". The doctor tells LOVELACE that it is a matter of muscular control and discipline after which she engages his penis in a prolonged sequence of fellatio at the termination of which her orgasm is symbolized by mammoth bells ringing, fireworks and launching of rockets.

There then follows a series of scenes in which LOVELACE portrays the doctor's "physical therapist" visiting various male patients who are described as being afflicted with various abhorrent attitudes about the human sex act. In one scene, a male engages LOVELACE in apparent sexual intercourse during which he places what appears to be a plastic container into her vagina. He then pours a liquid into the plastic container, inserts a clear plastic tube into the container and sucks some of the liquid from the container using the clear plastic tube. He makes a face as if he does not like the liquid. He then removes the top from a Coca Cola can and pours some of the liquid into the plastic container still inserted in LOVELACE's vagina. He then sucks some of this liquid from the container apparently enjoying it. He then gives the tube to LOVELACE who sucks some of the liquid from the plastic container still inserted in her vagina.

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The latter is apparently an attempt to appeal to the urolagnist, a person who is sexually aroused by the sight, odor, contact or any association with urine.

Subsequent scenes are replete with acts of fellatio, cunnilingus, intercourse and buggery with accompanying close-up shots vividly depicting penetration and subsequent ejaculation.

The running time of the film is approximately 62 minutes.

NY 145-3400

CORPORATE STRUCTURE OF AQUARIUS RELEASING
INCORPORATED, 229 WEST 42ND STREET, NEW
YORK, NEW YORK.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/12/73

A confidential source who maintains records of business and mercantile establishments in the New York City area, advised as follows concerning Aquarius Releasing Incorporated, 229 West 42nd Street, Room 301, New York, New York:

Aquarius Releasing Incorporated was incorporated under the laws of New York State in May, 1971. TERRY LEVENE, the president, is listed as the sole officer and director of the corporation.

Aquarius Releasing Incorporated operates as a producer's representative, distributor, exhibitor and producer of films on a worldwide basis. The corporation employs 2 individuals. The corporation rents 2,000 square feet of space on the 3rd floor of a multi-story office building located at 229 West 42nd Street, New York, New York.

Interviewed on 4/9/73 at New York, New York File # NY 145-3400

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4/11/73

by

Date dictated

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NY 145-3400

CORPORATE STRUCTURE AND/OR BACKGROUND
DATA REGARDING GERARD DAMIANO FILM
PRODUCTIONS INCORPORATED AND BRYANSTON
DISTRIBUTORS INCORPORATED, BOTH 630
NINTH AVENUE, NEW YORK, NEW YORK.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/17/73

1.

A confidential source who maintains records of Business and Mercantile establishments in the New York City area advised that the files of that bureau contain the following information concerning Gerard Damiano Film Productions, Incorporated, 630 9th Avenue, New York, New York, telephone number 212-524-0643.

By report dated August 14, 1972, officers of the above corporation were listed as GERARD DAMIANO, President, and L. PERAINO, Vice President. Directors were shown as above-mentioned officers. DAMIANO was born in 1928 and is married. He has been active in the motion picture field all of his working career. Also, he is President of the film's affiliate, Cue Enterprises, Incorporated, at 630 9th Avenue, New York, New York.

L. PERAINO [REDACTED]

For [REDACTED]

the past seven years, he has been self-employed as an [REDACTED] in the New York area.

Gerard Damiano Film Productions, Incorporated has been active as motion picture and television producers and distributors. The firm employs two individuals including the officers. The firm shares office space with the affiliate on the 4th floor of a multi-story office brick structure in the West side midtown Manhattan, New York area. Gerard Damiano Film Productions, Incorporated was reportedly started in 1971.

By report dated October 11, 1972, a suit was instituted for rent against Gerard Damiano Film Productions, Incorporated, 630 9th Avenue, New York, New York, in the amount of \$2500. The defendant was listed as Gerard Damiano Film Productions, Incorporated and GERARD DAMIANO. The Plaintiff is listed as Jeyar Operating, Incorporated.

By report dated December 8, 1972, the officers of Damiano Film Productions, Incorporated, 630 9th Avenue, New York, New York, telephone number 212-581-5240, were listed as PHILLIP PARISI, President, and BERTON GOLDWATER, Secretary.

Interviewed on 4/9/73 at New York, New York File # NY 145-3400

by SC [REDACTED] cap Date dictated 4/12/73

NY 145-3400

2.

The directors were recorded as the latter officers. The firm was reportedly incorporated under the laws of New York State in 1971.

PHILLIP PARISI [REDACTED]

He has been involved in the film industry for fifty years in a representative and distributing capacity.

BERTON GOLDWATER [REDACTED]

[REDACTED] years. He has been employed with Damiano Film Productions, Incorporated since the latter's inception.

The firm's operation consists primarily in the production and distribution of theatrical and non-theatrical motion pictures for exhibition. The firm employs eight individuals including the officers. The firm runs approximately 1000 square feet on the 10th floor in a multi-storied office building on the West side of Manhattan.

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FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 4/25/73

[redacted] City National Bank,
25 West Flagler Street, telephonically advised as follows:

One of his clients, [redacted] had advised him that, SA [redacted] had contacted [redacted] on April 18, 1973, relative to [redacted] and a film entitled "Deep Boat".

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[redacted] advised that the true name of the full length motion picture film is "Love Witch", the title having been changed from "Deep Boat". It was produced in the Miami area by Master Movie Productions, Inc., of which MORTON SCHWARTZ is President, SONIA BARRIEN, RAYMAN's secretary, is Vice President, and RAYMAN is Secretary-Treasurer. Master Movie Productions, Inc. is a Florida corporation.

The production of the film was originally handled by the Miami Beach, Florida law firm of Cohen and Cohen, 470 Lincoln Road, telephone 532-1771. It was that firm which actually "put the film together".

[redacted] advised that some \$17,000 was involved in the production of "Love Witch", which he stated makes the sex film "Deep Throat" look amateurish. He said that while the film "Love Witch" clearly depicts various acts of sexual contact, [redacted] did not find it prurient.

[redacted] advised he entered into a contract with GERARD DAMIANO Film Productions, Inc. of New York, New York, by which Master Movie Productions, Inc. granted full rights to "Love Witch" for 14 years. The contract was signed April 4, 1973 with one [redacted] representing

Interviewed on 4/18/73 at Miami, Florida File # Miami 145-1048
145-1000
by SA [redacted] /ens Date dictated 4/23/73

MM 145-1048
145-1000

2.

Gerard Damiano Film Productions, Inc.

[redacted] stated that "Love Witch" would shortly be released in some forty-four theatres across the United States.

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[redacted]
[redacted]
[redacted]
[redacted] finally stated he hopes that law enforcement authorities quickly move to ~~make arrests and prohibit the~~ exhibition of "Love Witch". [redacted]
[redacted]

MM 145-1048

WPK:sll

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On May 11, 1973, Miami [redacted]
City National Bank Building, telephonically contacted SA
[redacted] and advised as follows:

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A person whom he declined to identify, who is associated with Gerard Damiano Film Productions of New York, New York, had recently advised [redacted] that Gerard Damiano Film Productions was then engaged in adding "redeeming social value" to the full-length motion picture entitled "Love Witch," which had been sold to Gerard Damiano Film Productions by [redacted] and associates.

Relative to [redacted] Master Motion Pictures of the Miami area, [redacted] of "Love Witch," [redacted] stated [redacted] told [redacted] that [redacted] was aware of efforts by SA [redacted] to locate and interview [redacted] told his [redacted] that he does not desire to talk to the FBI. [redacted] described [redacted] as being "shook up" about the FBI's interest in [redacted] involvement with "Love Witch."

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 5/25/73

[redacted] City National Bank Building, was interviewed at his office and advised as follows:

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[redacted] never heard of either [redacted] Aquarius Releasing Company, New York City.

In the opinion of [redacted] his business associate in the production of the sexually-oriented motion picture film "Love Witch", [redacted] has told [redacted] that [redacted] is unwilling to be interviewed by the Federal Bureau of Investigation.

[redacted] GERARD DAMIANO Film Productions, Inc., of New York, New York, [redacted] "Love Witch" for fourteen years, never mentioned anything about distribution of "Love Witch" by anyone other than GERARD DAMIANO Film Productions, Inc. The financial arrangements regarding "Love Witch" with the DAMIANO people is a 50-50% deal and an unspecified amount of money was loaned to [redacted] and his associates by the DAMIANO people because of debts in the making of "Love Witch".

[redacted] stated he believes that twelve 16 mm. prints of "Love Witch" are to be given out by the DAMIANO people as gifts to various prominent people, including JOHNNY CARSON and MIKE DOUGLAS, TV personalities.

[redacted] stated he would describe "Love Witch" as a very pornographic film which places much stress on acts of fellatio.

[redacted] stated that one of the leading actors in "Love Witch" is ROBERT HUNT, also known as Bob Hunt, who comes from a prominent Broward County, Florida, family. is [redacted]

Interviewed on 5/18/73 at Miami, Florida File # Miami 145-1048

by SA [redacted] al [redacted] Date dictated 5/22/73

MM 145-1048

2.

The female lead in "Love Witch" is one TONI.

The actors and actresses were paid \$100.00 per day each for six days.

One of the associates in GERARD DAMIANO Film Productions, Inc. [REDACTED]

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[REDACTED] stated that he would instruct his [REDACTED] to exhibit to Special Agent [REDACTED] records maintained by her as to persons engaged in the making of "Love Witch".

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/30/73

[redacted] Newmark and Company, 1440 Broadway, New York, New York, advised from records that GERARD DAMIANO, doing business as Damiano Film Productions, Incorporated, entered into a lease with Newmark and Company on November 29, 1971 for a portion of the 10th floor, exact location not shown, 630 9th Avenue, New York, New York. The lease commenced on January 1, 1972 and will expire December 31, 1974. The lease is signed by GERARD DAMIANO. The first rental check received by Newmark and Company from DAMIANO was drawn on the Chemical Bank, exact branch not shown. The lease was assigned on July 18, 1972 to [redacted]

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It is [redacted] opinion that GERARD DAMIANO is no longer connected with the Damiano Film Productions, Inc. and that [redacted] is now the principal in the latter firm.

[redacted] described [redacted] as a white male, age [redacted], 5 feet 10 inches, stocky build, dark hair.

[redacted] stated that Aquarius Releasing Incorporated is not a tenant at 630 9th Avenue, New York, New York.

Interviewed on 5/21/73 at New York, New York File # NY145-3400

by SA [redacted] men Date dictated 5/25/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/30/73

[redacted] Bonded Film Storage Company, Inc.,
630 9th Avenue, New York, New York, advised that he believes
Damiano Film Productions, Inc. is still located in Room
1006 in this building. He said that he has had no dealings
with Damiano Film Productions, Inc. since approximately
February, 1973.

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He said that he does not recall ever meeting
GERARD DAMIANO and that prior to February, 1973 all his
dealings were with one [redacted] (Phonetic). He said that
he has never heard of a [redacted] or a [redacted] being
associated with Damiano Film Productions, Inc.

Interviewed on 5/21/73 at New York, New York File # NY145-3400

by SA [redacted] men Date dictated 5/25/73

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 5/31/73b6
b7c

[redacted]
[redacted] Little Beaver Theaters with offices at 7321 Collins Avenue, Miami Beach, who declined to furnish his home address on Miami Beach, furnished the following information after having been furnished with a printed statement of his rights entitled, "Interrogation; Advice of Rights" and having declined to sign this waiver of his rights:

He admitted no criminal convictions. Relative to the leasing of the Cine 1 and 2 Theater, Highway 441 and Sheridan Street, Hollywood, Florida, by New Spanish Flagler Street Cinema, 111 West Flagler Street, Miami, Florida.

[redacted] The "up front" officers are President, EMANUEL LIGHT and Secretary-Treasurer, GEORGE E. HANSEN. [redacted] New Spanish Flagler Street Cinema was incorporated in the State of Florida in 1973 by [redacted] through Attorney [redacted]

[redacted] The Cine 1 and 2 Theater was leased by [redacted] for the purpose of exhibiting the sexual oriented picture film "Deep Throat." In order to obtain a print of "Deep Throat," he leased the film on a 50/50 basis of gross income by telephoning to New York City to [redacted] (last name unknown), all of Gerard Damiano Film Productions, Inc., New York City. This occurred about January, 1973. [redacted] heard around the Miami area that the Gerard Damiano Company was the proper company to contact about getting a print of "Deep Throat."

[redacted] stated that he possessed no information as to how "Deep Throat" was transported to him in Miami Beach. He stated that although he made some telephonic inquiries of [redacted] (last name unknown) how and when he could expect delivery of "Deep Throat" at Miami Beach, he was told not to worry about it and that he would get the film.

Interviewed on 5/21/73 at Miami Beach, Florida File # Miami 145-1000

by SAs [redacted] and [redacted] WPK:lb Date dictated 5/25/73

MM 145-1000

2

One print of "Deep Throat" was delivered by an unidentified courier about early March, 1973, to [redacted] mini theater at 7321 Collins Avenue, Miami Beach. [redacted] did not see this courier, who left a .35 mm print of "Deep Throat" in a box at the theater. Subsequently, one of [redacted] local employees took the film to the Cine 1 and 2 Theater where it was exhibited to the profit of [redacted] and Gerard Damiano Film Productions, Inc.

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[redacted] is known to [redacted] as [redacted] (last name unknown) who has a [redacted]

It was with [redacted] (last name unknown) that [redacted] made a telephonic deal about three weeks before May 21, 1973, to have a .16 mm print of "Deep Throat" leased to him for showing in [redacted] Hollywood Mini Adult Theater, Hollywood, Florida. The .16 mm print was also rented on a 50 percent-50 percent of gross income basis and an exhibition started at the Hollywood, Florida, theater about May 5, 1973.

[redacted] is the person really responsible for booking "Deep Throat" in Florida. He has booked it to MGA Theaters, Inc., theater known as the Gamecock Theater at 3531 West Broward Boulevard, Ft. Lauderdale, Florida. He has also booked at the Capri Theater, Daytona Beach, about one week prior to May 21, 1973. He has also booked at MGA's Adult Theater, 4901 South Orange Blossom Trail, Orlando, Florida, where "Deep Throat" began showing about two or three weeks prior to May 5, 1973.

[redacted] stated that the sexual oriented film entitled "The Devil in Miss Jones" opened at the Cine 1 and 2 Theater, Hollywood, Florida, just a few days before May 21, 1973. [redacted] has no interest in that film; however, [redacted] understands from [redacted] and [redacted] that "The Devil in Miss JONES," as well as "Deep Throat II" are both Damiano Company films.

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 6/1/73

A confidential Source who has requested that his identity be concealed and who is in a position to furnish reliable information concerning the [redacted] [redacted] advised as follows:

LOU PERAINO and JERRY DAMIANO formed Damiano Film Productions, Incorporated about two years ago. Approximately one year ago, PERAINO bought out JERRY DAMIANO [redacted] [redacted]

Source understands that LOU PERAINO'S father, "ROCKY", reportedly put up money for Damiano Film Productions, Incorporated. [redacted] [redacted]

"ROCKY" PERAINO'S two sons, LOU and JOSEPH, and one PHIL PARISI operate Damiano Film Productions, Incorporated at the present time.

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Interviewed on 5/22/73 at New York, New York File # NY 145-3400

by SA [redacted] cer Date dictated 5/28/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/4/73

A confidential source who is familiar with [redacted]
[redacted] was exhibited a
photograph of [redacted] for his identification. After
viewing this photograph, the confidential source advised that
the individual appearing in this photograph was identical
with the individual known to him as [redacted]
[redacted]

The source advised that [redacted] (Last Name
Unknown) (LNU) is employed by Damiano Film Productions,
Incorporated as a [redacted] Source advised that
he would attempt to identify the vehicle being driven
by [redacted]

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b6
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Interviewed on 5/24/73 at New York, New York File # NY 145-3400

by SA [redacted] /emc Date dictated 5/30/73

FEDERAL BUREAU OF INVESTIGATION

Date 5/29/73b6
b7c

[redacted]
Newmark and Company, 1440 Broadway, New York, New York, from records advised that Bryanston Distributors Incorporated located in Room 209 at 630 9th Avenue, New York, New York, entered into a lease with Newmark and Company on November 20, 1971. The lease commenced on November 15, 1971 and will expire on January 30, 1974. The signature of the tenant on this lease is illegible.

[redacted] advised that the same people who operated Damiano Film Productions Incorporated in Room 1006 at 630 9th Avenue, New York, are the same people who own and operate Bryanston Distributors Incorporated.

On 5/24/73 at New York, New York File # NY 145-3400
by SA [redacted] kwp Date dictated 5/25/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

JJM:kwp

1.

NY 145-3400

On May 25, 1973, a confidential source who maintains records of business and mercantile establishments in the New York City area, advised that the files of that Bureau contain no record identifiable with Bryanston Productions Incorporated, 630 9th Avenue, New York, New York:

On May 25, 1973, [redacted]
Credit Bureau of Greater New York, advised Special Clerk (SC) [redacted] that the files of that Bureau contain no records identifiable with Bryanston Productions Incorporated, 630 9th Avenue, New York, New York.

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b7C

MM 145-1000

WPK/neb

1.

The following investigation was conducted
on May 28, 1973, by Investigative Clerk [REDACTED]

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Records of Dun & Bradstreet, Inc., Dade County, Florida, reflect the following information relative to Regal Fashions, Inc., manufacturers of ladies' wear, 247 N. W. 25th Street, Miami, Florida, 305-576-3037:

Regal Fashions, Inc., was formed in 1970. The President is ANTHONY PERAINO. No one is listed as Vice President. Secretary and Treasurer is JESSIE ARNELLANO.

Regal Fashions, Inc., employs approximately 75 persons and does sales estimated at \$500,000 annually. Regal Fashions, Inc., was chartered on August 15, 1970. STARTING CAPITAL AMOUNTED TO \$40,000

ANTHONY PERAINO [REDACTED] He was formerly associated as "principal" of Kleen Cut, New York, N. Y. He was also "principal" of Tony Fashions, Miami, and other unidentified business interests.

Regal Fashions, Inc., acts as a manufacturer of ladies' wear, as well as a labor contractor doing work for Junior Express, J. E. S. Fashions, Ltd., New York City, and Colony Fashions, New York City.

NY 145-3400

INFORMATION REGARDING

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/29/73

At 11:55 AM. the writer served a subpoena
duces tecum on [REDACTED]

New York, directing [REDACTED] to appear in the United
States District Court for the Eastern District of
New York (EDNY) at 10:00 AM on May 30, 1973 with
[REDACTED]
[REDACTED]
[REDACTED]

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Interviewed on 5/25/73 at New York, New York File # NY 145-3400
by SA [REDACTED] :kwp Date dictated 5/26/73

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FEDERAL BUREAU OF INVESTIGATION

6/25/73

Date of transcription _____

Pursuant to a subpoena duces tecum, the Office
of _____
_____ made
available a xerox copy of _____

The above form is being retained as a permanent
exhibit in this file.

Also furnished in connection with the previously
mentioned subpoena duces tecum was a _____

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A xerox copy of the latter form is being retained
as a permanent exhibit in this file.

Also furnished with the previously mentioned
subpoena duces tecum was _____

A copy of the latter form is being retained as
a permanent exhibit in this case file.

Also furnished in connection with the previously

Interviewed on 6/18/73 at New York, New York File # NY 145-3400

SA _____ lcn

6/22/73


by _____ Date dictated _____

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NY 145-3400

2.

mentioned subpoena duces tecum is the



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NY 145-3400

INFORMATION REGARDING

b3

FEDERAL BUREAU OF INVESTIGATION

1.Date of transcription 6/22/73

On this date, a subpoena duces tecum was served
at the Office of [REDACTED]

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[REDACTED] directing [REDACTED] to produce in the
Federal District Court, Eastern District of New York, on
June 27, 1973, all records pertaining to the [REDACTED]

[REDACTED]

Interviewed on 6/18/73 at New York, New York File # NY 145-3400

by SA [REDACTED] :lcn Date dictated 6/20/73

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NY 145-3400

RESULTS OF INTERVIEWS WITH
PARTICIPANTS IN MAKING OF MOTION
PICTURE FILM, ENTITLED, "DEEP THROAT"

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/8/721

[redacted] was telephonically contacted at Miami telephone number [redacted] which is the home of [redacted] and at least two other unidentified white females reside at [redacted]
[redacted]
[redacted]

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[redacted] stated that the film "Deep Throat" was the only film made by her in the Miami area. She stated she does not even remember in what area of Miami the film "Deep Throat" was made. She also denied knowing GERARD DAMIANO. She stated she was directed to an actress part in "Deep Throat" by [redacted] commonly known as [redacted] whom she stated she met about one year earlier through an unrecalled friend.

[redacted] stated that she would recontact Special Agent [redacted] at the Miami Office of the Federal Bureau of Investigation.

Interviewed on 12/1/72 at Miami, Florida File # Miami 145-1000
by SA [redacted] :sl1 Date dictated 12/4/72

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/14/72

1

[redacted] no home telephone, telephonically advised that he set up contacts for GERARD DAMIANO for camera and film-making equipment in the Miami area about one year earlier, and specifically obtained rental film-making equipment for DAMIANO at Cinetex, which is a legitimate photography equipment rental company at Miami. He stated that 35 millimeter motion picture rental equipment was obtained for DAMIANO, who does business as Gerard Damiano Film Productions, Inc., in New York, New York.

[redacted] admitted that he worked on a film-making crew for DAMIANO in the Miami area but evaded questions regarding the motion picture film specifically entitled "Deep Throat."

LINDA [redacted] He declined to answer any questions regarding his wife's participation, if any, in the film entitled "Deep Throat."

[redacted] stated he first met GERARD DAMIANO in New York City about six months prior to January, 1972, by answering an advertisement for a job on "The Village Voice," a Greenwich Village, New York City, newspaper.

DAMIANO told [redacted] that DAMIANO was interested in doing some film work in the Miami area and subsequently, when DAMIANO arrived in the Miami area about December, 1971, [redacted] showed him around the areas of Miami and Miami Beach.

[redacted] stated that he does not know where interior shots were made of any motion picture film produced by DAMIANO in the Miami area. He recalled that DAMIANO and members of his film-making crew stayed at the

Interviewed on 12/10/72 at Miami, Florida File # Miami 145-1000

by SA [redacted] :ell Date dictated 12/13/72

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MM 145-1000

2

Voyager Motel in North Miami, Florida, at which motel DAMIANO rented a room for [redacted] during about early January, 1972. [redacted] admitted that he influenced DAMIANO to get [redacted] telling DAMIANO that [redacted]

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[redacted] stated he recalls having seen [redacted] in the area of the Voyager Motel while DAMIANO and his crew were there, about January, 1972, but stated he did not know any specific association between [redacted] and DAMIANO. It was pointed out to [redacted] that it was apparent to SA [redacted] that [redacted]

[redacted] stated that he has to work in the photography business [redacted]

[redacted] stated that he has no specific information as to how any film, including the film "Deep Throat," was transported if, in fact, it was, from Florida to New York State or any other state outside Florida.

[redacted] was advised to have his wife get in contact with Special Agent [redacted]. He stated his wife was not available in the Miami area. He stated that he was making a trip to South Carolina and would return to Miami about a week later with his wife and would, during the interim, consider asking his wife to submit to interview.

MM 145-971
MM 145-1000

WPK:sl

1.

On May 3, 1973, Assistant Superintendent
ROSS GARULSKI, United States Post Office, North Miami,
Florida, advised SA [REDACTED] as follows:

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[REDACTED] LINDA TRAYNOR, formerly of 1050 Northeast
128th Street, North Miami, Florida, submitted a mail forward
notification to this Post Office dated January 11, 1973
ordering mail for both of them to be deposited in Box 384
of the North Miami Post Office, which has Zip Code 33136.

The order was signed by [REDACTED] on
January 10, 1973. No additional address was furnished.

LINDA TRAYNOR is known to GARULSKI and various
employees of the North Miami Post Office to be identical with
the "star" of the sexually oriented motion picture film "Deep
Throat." However, LINDA has not been observed at the North
Miami Post Office to the knowledge of GARULSKI. An unidentified
person or persons has been picking up the mail from Box Number
384.

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 6/4/73

[redacted] was contacted in Room 869-870, Plaza Hotel, 59th Street and Fifth Avenue, New York, New York. He was immediately advised of the identities of the interviewing Agents. [redacted] was advised by SA [redacted] that the interviewing Agents desired to talk to him in connection with his participation, if any, in the motion picture film entitled, "Deep Throat".

[redacted] advised that he had previously discussed this matter with SA [redacted] of the Miami Office some months ago. He said that he, himself, did not participate in any way; that is as an actor in the motion picture film entitled, "Deep Throat".

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While in Miami, Florida, in the early part of 1972, when the out-door scenes of the motion picture were being shot, he ran various errands for the director, JERRY DAMIANO. He said that none of the hard-core pornography scenes depicted in the motion picture film "Deep Throat" were shot in the Miami area. [redacted] maintained that all such scenes were shot in the New York City area.

When questioned as to the availability of Miss LINDA LOVELACE for interview, he said that LINDA LOVELACE was sleeping. At this point, Agent [redacted] requested [redacted] to wake Miss LOVELACE and have her in person tell the reporting Agents that she did or did not desire to be interviewed. Whereupon, [redacted] left the bedroom and walked to a rear bedroom, where he was heard talking to someone. After a few seconds, [redacted] returned to the master bedroom and advised the Agents that LINDA LOVELACE was getting ready for a television show and did not care to be interviewed by the reporting Agents. At this time, 11:05 am,

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[redacted] LINDA LOVELACE to appear in the United States District Court (USDC) for the Eastern District of New York (EDNY) at 35 Tillary Street, Room 327-A in the City of Brooklyn, New York, on the 30th day of May, 1973, at 10 o'clock am, to testify before a Grand Jury.

Interviewed on 5/28/73 at New York, New York File # NY 145-3400
by SA [redacted] SA [redacted] JJM:lcn Date dictated 5/31/73

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NY 145-3400

2.

[redacted] the reporting
Agents immediately left the suite of [redacted] and
LINDA LOVELACE.

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FEDERAL BUREAU OF INVESTIGATION

1.Date of transcription 6/4/73

[redacted] Plaza
Hotel, 59th Street and Fifth Avenue, New York, New York,
telephone number [redacted] advised from
records that [redacted]

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[redacted] and LINDA
LOVELACE of Malibu, California, registered at this hotel
on May 23, 1973, and were assigned Suite Number 869-870.
[redacted] listed permanent residence telephone numbers
[redacted] LINDA LOVELACE listed
permanent residence telephone number 213-274-9815.

According to [redacted] the hotel bill for
[redacted] and LOVELACE is being paid for by Pinnacle
BOOKS, Incorporated, 116 East 27th Street, New York,
New York.

Interviewed on 5/28/73 at New York, New York File # NY 145-3400

by SAS [redacted]
and [redacted] JJM:lcn Date dictated 6/1/73

JJM:lcn

1.

NY 145-3400

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On May 30, 1973, Assistant United States Attorney (AUSA) DENNIS E. DILLON, Strike Force, Federal District Court, Eastern District of New York (EDNY), advised that he had received a telephone call from an attorney in Miami, Florida, relative to the appearance of [REDACTED] LINDA LOVELACE before the Federal Grand Jury, EDNY, on May 30, 1973. AUSA DILLON advised that at the request of Defense Counsel, he has adjourned the appearance of [REDACTED] LOVELACE before a Grand Jury until June 6, 1973.

FEDERAL BUREAU OF INVESTIGATION

1.Date of transcription 6/8/73

[redacted] Plaza Hotel,
59th Street and Fifth Avenue, New York, New York, made
available the following records of toll calls charged
to [redacted] and LINDA LOVELACE, Room 869-870,
on the dates indicated:

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<u>Date</u>	<u>Location</u>	<u>Telephone Number Called</u>
May 24, 1973	California	[redacted]
May 24, 1973	Florida	
May 24, 1973	Illinois	
May 25, 1973	California	
May 25, 1973	Illinois	
May 26, 1973	California	
May 27, 1973	Florida	
May 27, 1973	California	
May 28, 1973	Florida	
May 29, 1973	New York	
May 29, 1973	New York	
May 29, 1973	New York	
May 29, 1973	North Carolina	

[redacted] advised that [redacted] and LINDA
LOVELACE checked out of this hotel at 9 am, on May 31, 1973,
leaving no forwarding address.

Interviewed on 5/31/73 at New York, New York File # NY 145-3400
by SAS [redacted]
and [redacted] JJM:lcn Date dictated 6/4/73

JJM:cer

1.

NY 145-3400

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By communication, dated June 5, 1973, the Los Angeles Office of the Federal Bureau of Investigation (FBI) advised as follows:

Records of the General Telephone Company, Los Angeles, California, show that telephone number [redacted] is listed to [redacted]

[redacted] The latter telephone service commenced on March 16, 1973.

Records of the Pacific Telephone and Telegraph Company, Los Angeles, California, show that telephone number 274-9815 is listed to the Telephone Answering Bureau of Beverly Hills, California, 139 South Beverly Drive, Beverly Hills, California.

JJM:cer

1.

NY 145-3400

By communication, dated June 12, 1973, the Los Angeles Office of the Federal Bureau of Investigation (FBI) advised as follows:

On June 6, 1973, the records of the Traffic Violations Bureau, Los Angeles, California Police Department, were caused to be checked concerning [REDACTED] LINDA TRAYNOR and LINDA LOVELACE and the following record located:

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[REDACTED]

There was no record identifiable with LINDA TRAYNOR or LINDA LOVELACE.

On June 6, 1973, the records of the Credit Bureau of Greater Los Angeles were checked and a record was located for

[REDACTED]

The records of the Los Angeles Police Department and the Los Angeles County Sheriff's Office, as checked on June 7, 1973, failed to show a record for [REDACTED] LINDA TRAYNOR, and LINDA LOVELACE.

JJM:cap

1.

NY 145-3400

On April 9, 1973, [redacted] Credit Bureau of Greater New York, advised Special Clerk (SC) [redacted] that the files of that bureau contain the following information concerning GERARD R. DAMIANO:

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As of February, 1968, GERARD R. DAMIANO and [redacted] were residing at 30-20 75th Street, Jackson Heights, Queens, New York. GERARD DAMIANO was self-employed as owner and operator of the Fantastics Beauty Salon, Incorporated, 51-15 43rd Avenue, Woodside, Queens, New York. He indicated that he had been self-employed for the past 6½ years and that his monthly income was \$7,000 - \$10,000.

No litigation is recorded in the file of GERARD R. DAMIANO and [redacted] This file contained no additional information.

FEDERAL BUREAU OF INVESTIGATION

5/17/73

Date of transcription

Observed parked in the drive-way of the
residence of [REDACTED]

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[REDACTED] was a 1970 Cadillac Sedan,
blue bottom, white top bearing New York license
XQ2591.

Records of the New York State Division of
Motor Vehicles has checked on this date show that
New York license number XQ2591 is listed to GERARD
R. DAMIANO, born August 4, 1928 and residing at
30-20 75th Street, Jackson Heights, New York.

Interviewed on 5/14/73 at Harrison, New York File # NY 145-3400

SAS [REDACTED] AND
by [REDACTED] /JJM:kwj Date dictated 5/16/73

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FEDERAL BUREAU OF INVESTIGATION

5/18/73

Date of transcription

GERARD DAMIANO was contacted at the residence of [redacted]

He was immediately advised of the identities of the interviewing agents. Special Agent (SA) [redacted] furnished him with a copy of an "Interrogation: Advice of Rights" form which he, DAMIANO, read in the presence of SAs [redacted] and [redacted]. After reading the latter form, DAMIANO advised that he understood the contents of said form, however, he declined to sign same.

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DAMIANO furnished the following information:

He was born August 4, 1928, in the Bronx, New York, is married, and resides with his wife and two children at 30-20 75th Street, Jackson Heights, Queens, New York, residence telephone 478-8861. He is self-employed as a motion picture film writer, director, producer and editor.

DAMIANO advised that he and LOUIS PERAINO, [redacted] started Damiano Film Productions, Incorporated, around February or March, 1971. At that time their office was located on West 42nd Street, between 7th and 8th Avenue, New York, New York. DAMIANO stated that he had a 1/3 interest in the corporation and LOUIS PERAINO had the remaining 2/3 interest. DAMIANO said that he has never known [redacted] residence or residence telephone number. He said that he first met [redacted] through mutual acquaintance whom he refused to identify. When he and PERAINO were in agreement concerning the setting up of Damiano Film Productions, Incorporated, he, DAMIANO, was to make the motion picture film and PERAINO would supply the money necessary for the production of the motion picture film. Their first venture was a motion picture film entitled, "SEX USA". This was not a hardcore pornographic motion picture film as it only depicted simulated sex acts. He recalls that he and PERAINO after setting up Damiano Film Productions, Incorporated, worked for three or four months without a salary. After

Interviewed on 5/14/73 at Harrison, New York File # NY 145-3400
by SA [redacted] and
SA [redacted] JJM:tm Date dictated 5/18/73

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they had received their share of the proceeds in connection with the motion picture film entitled, "SEX USA", they thereafter received a salary of \$150.00 per week.

From the proceeds of the motion picture film entitled, "SEX USA", he and PERAINO then made the motion picture film entitled, "Deep Throat" which he DAMIANO admitted writing, directing and editing. "Deep Throat" was made at a cost of \$25,000. The picture was shot in the Miami, Florida area. DAMIANO said that quite a few scenes were shot at the Voyager Motel on Biscayne Boulevard, Miami, Florida and other scenes were shot at the residences of friends or a "friend of a friend" none of whom DAMIANO was willing to identify. Relative to the photographer who shot this picture, DAMIANO stated that he did not care to identify this individual. Furthermore, he declined to identify any of the participants in this picture with the exception of LINDA LOVELACE, the picture's leading female star. DAMIANO said that it is his recollection that the motion picture film entitled "Deep Throat" was shot around Thanksgiving Day in November, 1971. He said that many of the participants in this film stayed at the Voyager Motel during the shooting of the film and that he, DAMIANO, picked up the motel and food bill for these individuals.

Relative to LINDA LOVELACE DAMIANO stated that he first met her business manager [redacted] who visited him in his office on West 42nd Street, New York, New York, shortly after he DAMIANO went into business. DAMIANO recalls that [redacted] at that time was making the rounds of motion picture producers in the New York City area in order to get LINDA LOVELACE employment. It was at this time that [redacted] gave him, DAMIANO, his telephone number in Miami, Florida. He told [redacted] that if he, DAMIANO were in Miami, Florida, he would look him up. He does not recall whether or not it was he or his production manager who initiated the contact of [redacted] for the services of LINDA LOVELACE in the motion picture film entitled, "Deep Throat", when they arrived in Miami, Florida to film the picture. DAMIANO declined to identify the production manager.

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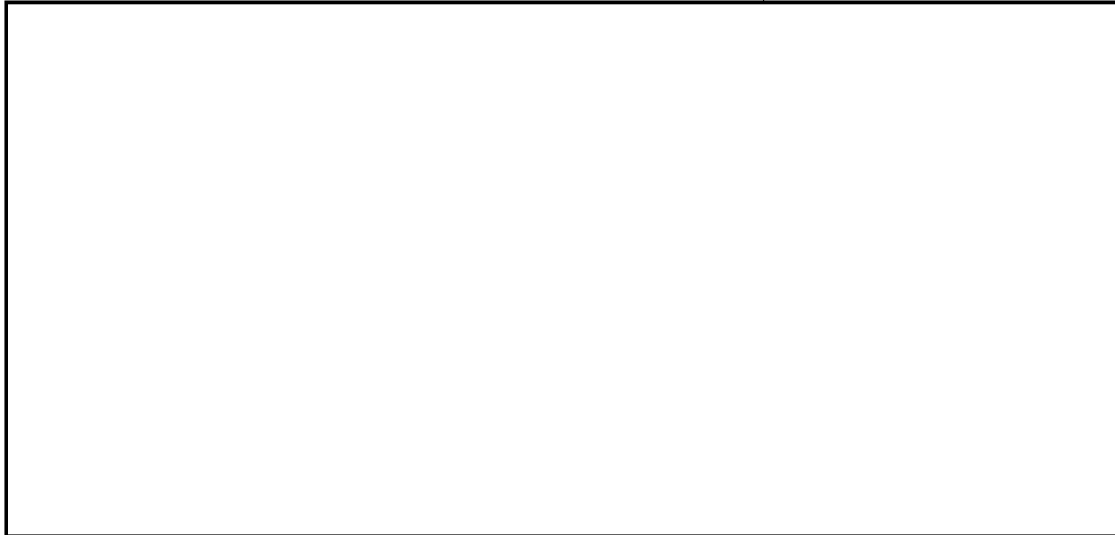
DAMIANO stated that they made the film "Deep Throat" in six or seven days. It is his recollection

that his production manager, whom he again refused to identify sent the undeveloped film of Deep Throat to Precision Laboratory at 630 9th Avenue, New York, New York. He has no idea how the undeveloped film was sent to New York but opined that his production manager or one of his assistants probably transported the film back to New York by an unknown mode of transportation.

DAMIANO stated that it is his recollection that Precision Laboratory developed the original "DEEP THROAT" negative. Precision Laboratory had some difficulty with the color in the prints and the negative was then given to another film laboratory in the New York City area by , he believes, [redacted] to make positive prints.

After completing the motion picture film entitled, "Deep Throat" he and PERAINO then made a horror film, first titled "Muldavo" which was later changed to "Legacy of Saton". He recalls that the latter picture was shot in approximately 10 days during March or April, 1974, during the shooting of the latter picture.

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DAMIANO added that at no time did anyone bring any type of pressure on him to sell his interest in DAMIANO Film Productions, Incorporated.

DAMIANO admitted that he is the writer, director, and editor of the motion picture film entitled, "DEVIL IN MISS JONES" and "MEATBALL". He said that he made the latter two films for [REDACTED]. He declined to make any statement relative to the making of these films and his possible knowledge of their distribution.

The following description of DAMIANO was obtained through observation and interview:

Name	GERARD DAMIANO
Also known as	Jerry Gerrard
Sex	Male
Race	White
Date of birth	August 4, 1928
Place of birth	Bronx, New York
Height	5 feet, 7 inches
Weight	165
Hair	Grey, wavy, streaked black
Eyes	Brown
Tatoos	Scroll on right forearm

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Military Service	United States Navy
	1945-1949, Honorable
	Discharge
Social Security Account	
Number	074-20-8733
Marital status	Married
Wife	[redacted] nee [redacted]
	[redacted] age [redacted]
Children	Two, Boy age [redacted] girl
	age [redacted]
Residence	30-20 75th Street, Jackson
	Heights, Queens, New York
	478-8861
Employment	Self-employed as Motion
	Picture Film, writer
	producer, director and
	editor.

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 6/4/73

[redacted]
[redacted]
[redacted] was contacted at that location. He was immediately advised of the identities of the interviewing Agents. He was advised by SA [redacted] that the reporting Agents desired to talk to him about his possible participation in the making of the motion picture film entitled, "Deep Throat". [redacted] furnished the following information:

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He is single and resides at [redacted]
[redacted] and has residence telephone number [redacted]. He is [redacted] and maintains an office at [redacted] telephone number [redacted].

He has known GERARD DAMIANO since around 1968, when he first met him at Cinex Corporation, New York City.

Sometime during the latter part of 1971, or early 1972, DAMIANO contacted him and asked him if he was available for work on a picture, which he, DAMIANO, was directing. DAMIANO told him that it would be an approximately six day job. He does not recall whether or not DAMIANO told him that the movie would be X-rated. He accepted DAMIANO's offer and he drove to Miami, Florida, with two other individuals, one of whom was a [redacted] and [redacted] "Deep Throat". He recalls that they arrived in Miami, Florida around noon-time and he and [redacted] shared a room together for approximately the first three or four days.

[redacted] advised that the cameraman, JOAO FERNANDEZ was hired to shoot this film by GERARD DAMIANO. He said that [redacted] is currently on location out of the country and is not expected back for a month or so. He said that [redacted] maintains a permanent residence somewhere in [redacted].

[redacted] advised that all of the actors and

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SAS [redacted]
by and [redacted] JJM:lcn Date dictated 5/31/73

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actresses in the picture, "Deep Throat", were hired by DAMIANO. To the best of his knowledge, all scenes in this picture were shot in the Miami, Florida area, including all the hard-core pornography scenes.

[redacted] said that he was [redacted] during the making of this film and that it was his responsibility to [redacted]

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Relative to the exposed negative film, accumulated after each shooting, [redacted] advised that it was the responsibility of the assistant cameraman to pack this film and send it to a laboratory for developing. He said that he does not know who the assistant cameraman was in this particular instance and has no knowledge as to what laboratory may have developed this film.

When questioned as to his hotel reservation at the Voyager Hotel, Miami, Florida, from January 11 through 19, 1973, wherein he registered as [redacted] he replied that he was not married but that a friend, [redacted] had come to Miami to visit him and stayed with him, during the period January 15 through the 19th.


[redacted] advised that he has no knowledge of the current whereabouts of LINDA LOVELACE and [redacted]. He said that he knew very little if anything about LOVELACE or [redacted] and had only met them in Miami, Florida, during the shooting of the film, "Deep Throat".

[redacted] advised that he has absolutely no knowledge as to the distribution of the motion picture film entitled, "Deep Throat".

When questioned as to whether or not he was acquainted with [redacted] he replied that he had known [redacted] a few years ago at [redacted] but after [redacted] lost track of [redacted] and is unaware of his current employment and residence.

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 added that he has absolutely no knowledge as to how the exposed negative film was transported from Miami, Florida, to New York City, if this was actually the case, for developing. In his opinion, the assistant cameraman during the shooting of the film "Deep Throat" would probably have knowledge of the latter.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/27/73

[redacted] also known as [redacted]
was contacted at his residence. [redacted]
[redacted] He was immediately
advised of the identities of the interviewing agents.
He was advised by Special Agent (SA) [redacted] that
the agents desire to talk to him in connection with
his participation in the motion picture film entitled
"Deep Throat."

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[redacted] furnished the following information:

Around the early part of January 1972, he
was approached by [redacted] also known as [redacted]
[redacted] At
this time, DAMIANO told him about the story content
of the picture after which [redacted]
[redacted]

All the hard core pornographic scenes [redacted]
[redacted] were shot in an apartment in the
West Side, New York City. He stated that he does not
recall the name of the individual who rented the said
apartment and does not recall any other details relative
to the exact location of this apartment. [redacted]
[redacted] were shot in this apartment in approximately 1 1/2
days which included possibly one nights work. All
the latter scenes were shot with LINDA LOVELACE, the
female star of the picture.

According to [redacted] JERRY DAMIANO wrote
and directed the motion picture film entitled "Deep
Throat". The camera man who shot the picture was
JOAO FERNANDEZ or HERNANDEZ also known as Harry Flecks.
He stated that he does not know where [redacted] resides
and has no knowledge of his current place of business.

After shooting the hard core pornographic
scenes in the West side apartment, [redacted] told

Interviewed on 5/31/73 at New York, New York File # NY 145-3400
by SAS [redacted] AND [redacted]
[redacted] JJM:kwp Date dictated 5/26/73

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him that [redacted] and his crew were going to Florida to shoot some outdoor scenes for the picture "Deep Throat" and invited him, [redacted] along.

[redacted] went along as part of the [redacted] DAMIANO paid him \$25 a day while in Florida and he remained in Florida with DAMIANO's crew for approximately 3 or 4 days.

It is his recollection that no hard corepornographic scenes were shot in the Florida area for the motion picture film "Deep Throat."

[redacted]
[redacted] a blue and white Cadillac, which Cadillac incidently, was utilized in some of the outdoor scenes for the picture shot in the Miami area.

[redacted] were [redacted] were [redacted] (LNU) and a friend of [redacted] name not recalled.

[redacted] stated that he has no knowledge of the corporate set up of Damiano Film Productions Incorporated; however, he stated that an individual by the name of [redacted] (LNU) bought out JERRY DAMIANO in the Damiano Film Productions Incorporated some time ago and [redacted] continues to use the name, Damiano Film Productions Incorporated.

[redacted] stated that he recently finished a picture entitled "Deep Throat II" which has an "R" rating. The latter picture was produced by [redacted] mentioned previously of Damiano Film Productions Incorporated. He stated the latter picture was made in six or seven days and he recalls being paid by check which was drawn on the account of Bryanston Distributors Incorporated.

[redacted] described [redacted] (LNU) as a white male, age 40, 5 feet 9 inches, 200 pounds, with dark hair.

When questioned as to whether or not he was acquainted with [redacted] stated that [redacted] is connected in some way with Damiano Film Productions Incorporated.

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[redacted] stated that he has heard from sources unrecalled, that one TERRY LEVENE of Aquarius Releasing Corporation, New York City, has distribution rights for the film entitled "Deep Throat" in the New York area.

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[redacted] went on to state that he has no knowledge as to how the exposed negative film of the motion picture film "Deep Throat" was transported from Miami, Florida to the New York City area if in fact such was the case. Furthermore, he stated that he has no knowledge as to the identity of the film laboratory where the positive prints were made.

[redacted]
[redacted] was exhibited a photograph of [redacted]. After viewing this photograph, [redacted] stated that the individual appearing in this photograph was unknown to him and that he had never seen him before in his life.

[redacted] concluded by stating that of all the actors and actresses appearing in this picture the only one he knew was DOLLY SHARP who resides somewhere [redacted] SHARP in the picture "Deep Throat" portrays LINDA LOVELACE's confidant and is the one who directs LOVELACE to the psychiatrist, Dr. JASON YOUNG [redacted]

FEDERAL BUREAU OF INVESTIGATION

6/29/73

Date of transcription

At 10:55 am, on this date, the writer served a subpoena duces tecum on the person of [REDACTED]

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[REDACTED] commanding him to appear in the United States District Court (USDC) for the Eastern District of New York (EDNY), at 35 Tillary Street, Room 327-A in the City of Brooklyn, New York, on June 27, 1973, at 10:00 am, to testify before the Federal Grand Jury.

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6/25/73

New York, New York

NY 145-3400

Interviewed on

at

File #

SA [REDACTED]

lcn

6/26/73

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by

Date dictated

NY 145-3400

MAGAZINE ARTICLE BY RALPH BLUEMENTHAL
CAPTIONED, "PORNO CHIC" APPEARING IN
NEW YORK TIMES JANUARY 21, 1973.

JJM:kwp

1.

NY 145-3400

The magazine section of the New York Times, dated January 21, 1973 contained the attached article by RALPH BLUMENTHAL captioned "Porno Chic."

(Mount Clipping in Space Below)

"Hard-core" grows fashionable—and very profitable

Porno chic

Indicate page, name of newspaper, city and state.)

With a budget of \$25,000, a handful of \$75-to-\$100-a-day actors and actresses and a vivacious, gifted sexual performer he signed to a year's contract, Gerard Damiano, a veteran pornographic film producer, spent six days early this year shooting a 35 mm. color film in Miami.

Since then the following has happened:

- The film, "Deep Throat," with its star, Linda Lovelace, has grossed over \$3.2-million in more than 70 theaters across the country, including some \$700,000 in New York alone since its June 12 opening. It is the greatest porno hit ever.

- It has gone on trial here and elsewhere in significant obscenity test cases that hinged not on whether explicit sex is depicted—for surely it is—but whether the film is socially redeeming and in conformity with current standards of display. It has also become a symbolic target in Mayor Lindsay's attempt to rid the Times Square area of commercialized sex. At this writing, Criminal Court Judge Joel J. Tyler is mulling over the more than 1,000 pages of expert testimony given in a colorful, 10-day nonjury trial before deciding if "Deep Throat" is obscene.

- It has drawn an average of 5,000 people weekly to the New Mature World Theater on West 49th Street here, including celebrities, diplomats, critics, businessmen, women alone and dating couples, few of whom, it might be presumed, would previously have gone to see a film of sexual intercourse, fellatio and cunnilingus.

- It has become a premier topic of cocktail-party and dinner-table conversation in Manhattan drawing rooms, Long Island beach cottages and ski-country A-frames.

- It has, in short, engendered a kind of porno chic.

By Ralph Blumenthal

Now "Deep Throat" is the story of a young woman (Linda Lovelace) who is disappointed to find herself surprisingly indifferent to sex—until an examination by her doctor solves the mystery: Because of an eccentricity of her anatomy, she finds oral sex more gratifying than conventional intercourse.

The 62-minute film, according to the recent charges, depicts 15 sex acts, including seven of fellatio and four of

(Continued on Page 30)

Ralph Blumenthal, an ardent Manhattan moviegoer, has been a reporter for The Times for eight years.

Date:
Edition:
Author:
Editor:
Title:

(Continued from Page 28)

cunnilingus. Characteristically for a hard-core or—as those in the trade themselves call it—porno film, the sex acts are clearly, clinically, shown, in contrast to the deep-breathing simulations of soft-core sex movies.

Such explicitness is hardly unusual in itself anymore—one need only walk down 42d Street these days for an unmistakable vista of exploitation gone berserk. But "Deep Throat"—or "Throat" as the more decorous newspaper ads would have it—is by general agreement a better product than its porno predecessors, for as well as raw sex, it offers viewers a sense of humor and story line. To some film critics, that is still measuring progress in millimeters, but the film does seem to be an undeniable improvement over the genre's ordinary offering, which all too often betrays the film maker's contempt for his audience: The sound is warped, the color thin and faded and grainy. And the story, well, there is really no story, just coupling—exhaustive, boring, mechanical, relentless minute-after-minute of poker-faced fornication in "loops," so-named for the splicing of the film into 10-minute repeating cycles.

"Deep Throat," on the other hand, attempts some comedy—and is rewarded by guffaws virtually unprecedented in porno movie houses. (The jokes, unfortunately, may not be repeated here.) The sound track, too, is sprightly and haunting, so much so that when Herman Tarnow, an attorney serving with the Police Department, returned

home one day after viewing the film preliminary to a bust, he caught himself absent-mindedly humming the theme song.

"Compared with what came before," says David Vandor, a young, black-bearded Hungarian who keeps track of porno for the Mayor's Office of Midtown Planning and Development, "Deep Throat" is an excellent film. It is better than most situation comedies or grade C comedies."

This quality, coming along in a time of "permissiveness," is apparently enough to persuade a lot of people that there is no harm or shame in indulging their curiosity—and perhaps even their frankly prurient interest—by going to see "Deep Throat." Recent "Deep Throat" audiences are said to have included people like Johnny Carson, Mike Nichols, Sandy Dennis, Ben Gazzara and Jack Nicholson. Some French United Nations diplomats went and insisted on paying with traveler's checks. Some off-duty policemen went and became the objects of search in the theater by fellow officers. Members of the New York Times news staff went en masse during a recent lunch hour, to be followed a few days later by a group from the Book Review. Members of the in-crowd from Elaine's announced one night that they were going for the second time.

Truman Capote, who went after dinner one night "with a bunch of people I thought were fun," says he went because "Mike Nichols told me I just had to see it."

Was he scandalized? "Not the least little bit," he says. "I thought the girl was charm-

ing." Did he think it was for everyone? "Oh," says, "I know a lot of people who don't want to see that sort of thing and so they don't. They probably couldn't stand it. You see it at your own peril."

One recent evening the audience included two well-dressed, apparently well-to-do middle-aged women laden with Christmas packages. They left after 20 minutes.

"I was bored," one could be heard to comment.

"It was boring," the other concurred, quickly. Then she giggled, "Peggy would have died."

"We left too early," the first decided.

Herbert Kassner, attorney for the New Mature World Theater, who argued the recent obscenity case, maintains that "it's a fad. You know how these things catch on in New York."

"Once it broke in the society columns, it was O.K. to go," says Addison Verrill, the astute and respected 30-year-old reporter and film critic of Variety. The film has been cited by columnists and critics and reviewers ranging from Bob Schramm of Time to Andrew Sarris of The Village Voice to the syndicated Suzy Knickerbocker to Al Goldstein of Screw magazine who became an immediate booster and gave "Deep Throat" the top mark of 100 on his original rating scale.

Not only are a lot of people interested in seeing for themselves: They will gladly pay the hefty \$5 admission, a fact that makes hard-core pornography an enticing investment opportunity.

Terry Levine of Aquarius Film Releasing Inc., the com-

pany that distributed "Deep Throat" and other leading porno films in the East, says that "sex theaters do better than nonsex." He estimates that a film generally has to gross at the box office five times its production cost for the producers to begin making a profit. But others in the industry put the multiple at only three. By last estimate, of course, "Deep Throat" had grossed 28 times its production cost in its New York run alone.

The \$5 price may itself be an important part of the porno-house image. Early in the run of "Deep Throat," Bob Sumner, the 26-year-old operator of the New Mature World Theater, lowered the admission to \$3 and then watched his gate drop because porno fans concluded that hard-core could not be seen at such a bargain rate.

Perhaps the firmest indication that pornography can be profitable is the assertion of Federal and local officials that the industry is falling increasingly under the domination of the Mafia and has become the mob's fastest growing business in the metropolitan area. Law-enforcement officers confirmed recently that they are looking into a number of porno films—including "Deep Throat"—as a part of their ongoing investigations of organized crime in the industry.

No one yet accuses the producers of "Deep Throat" of any wrongdoing, but the film's financial history did take an intriguing turn that remains unexplained. It all began when Gerard Damiano, a droll, stocky film maker with a white-flecked goatee, rounded up his cast early last year in Miami. Damiano, who goes under the professional pseudonym of Jerry Gerard, started shooting with a bankroll of \$25,000 put up by two partners, Lou Perry and Phil Parisi. The cast included an engaging porno-film stalwart who goes by the name of Harry Reems and is in particular demand in the industry for his ability to perform virtually tirelessly and on command. Then there was

\$200 a week. The manager got expenses but no salary.

The film took six days to shoot and another three months to edit and complete. There are different versions of what happened next.

According to Lou Perry, Damiano, the third partner in Film Productions, Inc., asked to sell his share when the film faced legal problems and had not yet begun to make money. "He was compensated what he asked for—\$25,000," Perry said. "He was even asked to stay. This was his decision."

One of Damiano's acquaintances has a different story, however. According to him, Perry and Parisi, once the film began to draw well at the box office, informed Damiano that the three-way split was over and they would give him \$25,000 for his one-third share of the future profits.

That sounds like a bad deal, I told Damiano as we sat one night with associates in a restaurant on Eighth Avenue.

"I can't talk about it," Damiano said.

Why? I wanted to know.

"Look," he said, "you want me to get both my legs broken?"

When I pressed the question, Damiano just rolled his eyes and said nothing. The chatter around the table had also suddenly stopped.

In any case, some weeks ago, before trial publicity increased the take, Perry would acknowledge that "Deep Throat" had earned the—two—partners well over \$500,000 as their share of the gate and, "we figure we might end up with a million." Not bad for a \$25,000 investment.

As intriguing as its financial history, however, is "Deep Throat's" legal history, a saga that serves as a good intro-

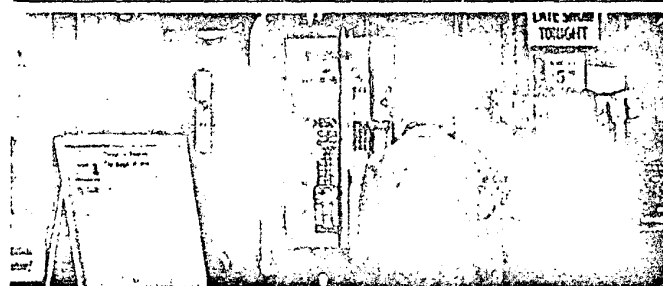
duction to the complexities of the obscenity laws.

Last summer, during the Mayor's campaign to clean up the midtown area, Criminal Court Judge Ernst Rosenberg reviewed "Deep Throat" and, finding it obscene, ordered it seized under a New York Court of Appeals ruling establishing such a procedure as proper. The next day, made aware of a contradictory ruling by the U.S. Federal Court of Appeals that requires an adversary hearing, permitting the exhibitor to defend the film before it can be seized, Judge Rosenberg returned the film. The U.S. Supreme Court will now have to rule on which procedure is proper; meanwhile the run of "Deep Throat" continues.

The operator of the New Mature World Theatre, Mature Enterprises, Inc., had meantime been charged with two counts of promoting obscenity, misdemeanors each carrying a \$5,000 fine, and the trial began last Dec. 18. The trial was entertaining in itself. It started in a Fifth Avenue screening room where Judge Tyler and court officers viewed the film. Then testimony began, with the defense presenting Arthur Knight, film critic for Saturday Review and professor of film at the University of Southern California. He contended that "Deep Throat" had redeeming social value because it helped people to expand their sexual horizons and particularly emphasized that a woman's sexual gratification was as important as a man's.

Unlike the cruder sexploitation films, Professor Knight testified, "Deep Throat" was not devoted to "deep breathing sex."

"Didn't you hear the female in the opening scene breathing deeply?" Judge Tyler



wanted to know—until the professor explained that he was speaking metaphorically. When the professor used the term "missionary position" to refer to the conventional position for intercourse, Judge Tyler did not understand and the professor had to explain it to him. "It's worthwhile for me, if nothing else happens, to have gotten this education," the judge commented.

Another witness for the defense, John W. Money, professor of medical psychology at Johns Hopkins University, testified that "Deep Throat," by showing explicit acts of fellatio, cunnilingus and intercourse, convinced viewers there was nothing shameful about sex and therefore produced saner, healthier attitudes about it. "It puts an eggbeater in people's brains" was the way he expressed it.

Disputing this approach and testifying for the prosecution, Dr. Max Levin, a 71-year-old semiretired psychiatrist, said the film was harmful in that it distorted "the true nature of female sexuality." People with sexual hang-ups, Dr. Levin testified, might become confused and experience "sexual fantasies of an unhealthy nature." Dr. Levin, formerly clinical professor of neurology at New York Medical College, ended his cross-examination in a cloud of confusion over whether he was talking about "Deep Throat" or film shorts on the same bill. He entered the theater in the middle of the show, he explained, and couldn't tell where one film ended and the others began.

If all of this made for good newspaper copy—and excellent free advertising for the movie—it also seemed to be leading to a judicial precedent.

For it is unusual that the question of "Deep Throat's" obscenity is being debated in a New York City courtroom at all, some legal observers point out. According to the State Penal Law a performance or material is obscene if all of the following three conditions are met: "(a) considered as a whole, its predominant appeal is to prurient, shameful or morbid interest in nudity, sex, excretion, sadism or masochism, and (b) it goes substantially beyond customary

limits of candor in describing or representing such matters, and (c) it is utterly without redeeming social value."

Needless to say, many of these words—"predominant," "substantially," "utterly," "social value"—have proven hell-

ishly difficult to apply to a given film or book, and city prosecutors have preferred to permit exhibitors to plead guilty to a charge not having to do with obscenity—disorderly conduct, for example—rather than risk a trial that could result in a ruling that a film of hard-core pornography is not obscene. In this case they have chosen to charge the corporation, rather than individuals, with promoting obscenity, to allow trial by judge instead of the jury proceeding mandated for charges against individuals. The city apparently fears a sophisticated jury would never rule a film obscene. In fact, a Birmingham, N. Y., jury recently found "Deep Throat" not obscene.

Such legal harassment has not done much, however, to limit the pornographic film business in midtown. Pleading guilty to disorderly conduct doesn't prevent an exhibitor from continuing to show his film, and in any event, his case may not come up until long after the film in question has completed its run and the exhibitor has made his money from it. Having pleaded guilty, the exhibitor has to pay a fine, but he can consider that an acceptable expense, easily absorbed by his profitable operation. In the meantime, Times Square film fare has grown raunchier.

Conviction on an obscenity charge, however, may result in heavier fines, or even a jail term. So, according to legal observers like Leon Friedman, a lawyer on the staff of the Association of the Bar of the City of New York, if Judge Tyler rules that "Deep Throat" is obscene, and if his ruling holds up on appeal, it could in time have a substantial inhibiting effect on midtown exhibitors. In effect, it would establish a legal limit to obscenity at some relatively soft-core point between your average X-rated Hollywood film and "Deep Throat," and the dirty-movie business would no doubt respect the limit, at least for a time.

More intriguing, however, would be a ruling by Judge Tyler that "Deep Throat" is not obscene, given the nature of the recent trial. Expert witnesses called to establish that the film has redeeming social value not only cited its artistic qualities, they went on to argue that in these times of general concern about problems of sexuality, the explicit display of sexual intercourse,

fellatio and cunnilingus is socially valuable in itself.

For the court to accept this principle would seem to eliminate the possibility of any obscenity finding for any film, however explicit, that depicts and illuminates virtually any aspect of human sexuality.

As the trial proceeded it began to create a rather serious question about its own relevance and that of the Mayor's effort to make war on sexploitation in midtown, for the newspaper publicity resulting from the trial more than doubled the weekly gate receipts of "Deep Throat." The Mayor and the legitimate theater owners and other businessmen might like to wipe out the pornography industry, but it nevertheless seems to be meeting a substantial public demand.

William G. Bardel, head of the Mayor's Office of Midtown Planning and Development, who is coordinating the city's drive on Times Square sexploitation, believes, or at least hopes, that the current interest in "Deep Throat" is only superficial. "The repetition of oral sex . . . I don't think it will create the mass demand for this sort of thing," he says, with evident distaste.

And, in fact, if porno chic has thus arrived, some patrons still seem to have satisfied their curiosity with their first and last hard-core film.

One group of three couples in their late 20's I interviewed one night as they emerged from "Deep Throat" acknowledged having been completely turned off by the film.

"I think it was gross," said one of the group, named William. "Too graphic. I never watch what I do. I was disappointed. It had such a contrary effect."

"It was like watching cattle," said another member of the party, Lynn.

And if critics can applaud the fact that a movie like "Deep Throat" is slightly better in quality than more traditional porno movies, it remains true that pornography is at best a limited form of art. Andrew Sarris, for example, complains that for all its comic moments, good color, bouncy music and vivid action, "Deep Throat" still features disengaged sex organs, the human beings attached to them having been lost somewhere on the way to the orgasm.

Also, porno films characteristically are overwhelmingly

male chauvinist, catering to male sexual fantasies and apprehensions. The women are submissive, and the men all but inexhaustible. (Except for gay porno films—a flourishing subcategory—male homosexual contact seems to be taboo in hard-core and soft-core films. Lesbian scenes, on the other hand, are common, but for the titillation of men, not women.)

On the other hand, porno producers and operators believe in a promising future, and are backing their belief with hefty investments. One producer and director who goes by the name of Danny Stone recently made a film called "High Rise," scheduled to open here in coming months, with the unusually high budget for porno of \$75,000. And he dreams of producing a quarter-million-dollar hard-core film that, he says, will be "the 'Ben Hur' of porno."

Perry and Parisi are going on to shoot "Deep Throat II" in New York. Its completion was recently announced in a large ad in *Variety*: "We're going to make lightning strike twice," it said. "If you like 'Throat,' you'll love 'Throat II.'"

The ad portrayed Damiano as the director. However, in another intriguing twist, it turns out that the sequel has not been finished at all—although Parisi insists shooting has begun. Moreover, Damiano has nothing to do with it; it is being made by another porno film maker, Joe Sarno. Asked about the peculiarly misleading ad, Parisi explained, "You know how the motion-picture business is. Sometimes ads tend to be misleading. But there's a reason for it." The reason, apparently, is that others had their eye on producing a sequel, and Perry and Parisi wanted to establish their claim on "Deep Throat II" with the name that made "Deep Throat" such a success.

The sequel, according to Perry, is budgeted at \$70,000. It also stars Linda Lovelace—"in a kind of 'Perils of Pauline' plot," says Perry. For a week's shooting, she gets \$1,000 a day plus expenses for her and her manager, plus a percentage of the future box office receipts.

Meanwhile, Perry says, negotiations are under way with a publisher for a "Deep Throat" film book and, he adds, "We're considering releasing the album." ■



Pornography is alive and well on 49th Street. Above: Bob Sumner, manager of the New Mature World Theater, where Manhattanites gladly pay \$5 to watch an hour or so of explicit sex. Below: Linda Lovelace, star of "Deep Throat."



NY 145-3400

REGISTRATION RECORDS AT VOYAGER
MOTEL, NORTH EAST 123RD STREET
AND BISCAYNE BOULEVARD, NORTH
MIAMI, FLORIDA SHOWING RESIDENCY
OF PARTICIPANTS IN MOTION PICTURE
FILM ENTITLED, "DEEP THROAT" DURING
JANUARY, 1972.

JJM:kwp

1.

NY 105-3400

By communication dated December 7, 1972,
the Miami Office of the Federal Bureau of Investigation
(FBI) made available the attached documents obtained
from the Voyager Motel, North East 123rd Street and
Biscayne Boulevard, North Miami, Florida:

1-19-72 -
212-633-2250
891-0293

1-20-72.
873-3018.
864-9661
864-9661
864-9353

1-24-72.
865-1500

1-25-72.
865-1500

Seaside Productions

Traynor



The **Voyager**

U.S. #1 -- BROAD CAUSEWAY AT 123rd STREET

MOTEL

A FRIENDSHIP INN
NORTH MIAMI, FLORIDA

TRAYNOR

NO 9852

Date 1-15, 1972

Welcome! *Mr & Mrs C.E. Traynor*

Name Mr & Mrs C.E. Traynor

Address 1050 N.E. 128th ST.

City MIAMI State FLA Zip

MONEY, JEWELS AND OTHER VALUABLES, MUST BE PLACED IN THE OFFICE SAFE,
OTHERWISE THE MANAGEMENT WILL NOT BE RESPONSIBLE FOR ANY LOSS.

DATE OF ARRIVAL	A. M.	ROOM	RATE	CLERK	DATE OF DEPARTURE
<u>1-15</u>	<u>9-12</u>	<u>125</u>	<u>20-</u>	<u>W</u>	<u>?</u>
	P. M.	NO. OF GUESTS		ACCOUNT No.	
		<u>2</u>			

REMARKS

Ch 107

MAKE OF CAR

YEAR

STATE - LICENSE NO.

SOURCE

Ch 107

126

581-52400

25-18

gerard

Edgar
55-1643

damiano

RECEIVED
PROPERTY
DIVISION
FBI
JAN 11 1965

(12-7-64)

NY 145-3400

INFORMATION REGARDING THE

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JJM:cap

1.

NY 145-3400

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On February 15, 16, 22, 26, 27, 1973, Special Agent (SA) [redacted] telephonically contacted Attorney [redacted] New York. New York. to determine if his client, [redacted] [redacted] would be willing to discuss with this Bureau [redacted]

On each occasion, [redacted] stated that he had not had an opportunity to discuss this matter with his client, [redacted]
[redacted]

FEDERAL BUREAU OF INVESTIGATION

1.Date of transcription 3/21/73

At 2:15 PM on March 13, 1973, the writer served a subpoena on [REDACTED]

[REDACTED], for presentation of these records on March 21, 1973 in the United States District Court (USDC), Tampa, Florida.

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Interviewed on 3/13/73 at New York, New York File # NY 145-3400

by SA [REDACTED] cap Date dictated 3/16/73

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143

JJM:ms

3.

NY 145-3400

Attached hereto is one copy each of the previously
mentioned [redacted]
with [redacted]
[redacted]

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NY 145-3400

INFORMATION RE SEIZURE OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT" BY NEW YORK
CITY POLICE DEPARTMENT ON MARCH 1, 1973
AT WORLD THEATRE, NEW YORK, NEW YORK

JJM:lcn

1.

NY 145-3400

It is noted that the motion picture film entitled, "Deep Throat" was seized by the New York City Police Department (NYCPD) on March 1, 1973, at the World Theater, 153 West 49th Street, New York, New York, after a lengthy local trial which resulted in Mature Pictures Enterprises, Incorporated (Mature), 630 9th Avenue, New York, New York, owner of World Theater, being charged locally with promoting obscenity. The film was judged obscene according to statute by New York City Criminal Court Judge, JOEL J. TYLER and Mature subsequently fined \$100,000. Latter matter is presently on appeal.

A copy of Judge TYLER's decision in above case is enclosed herewith

NY 145-3400

ARREST RECORD RE

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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 6/18/73

On the above date a subpoena from the Eastern District of New York was served on [REDACTED]

[REDACTED] a Xerox copy of which is attached.

[REDACTED] advised that he would have the requested records ready on June 18, 1973.

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Interviewed on 6/7/73 at Fort Lee, N.J. File # Newark 145-1267

SA [REDACTED] /pfs

by _____ Date dictated 6/12/73

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UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF NEW YORK

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You are hereby commanded to appear in the United States District Court for the Eastern District of New York at 35 Tillary Street, Room 327-A in the city of Brooklyn on the 20th day of June 1973 at 10:00 o'clock A.M. to testify before the Grand Jury and bring with you¹



Subpoena will be considered served if zerox copies of requested records are furnished to any Special Agent of the Federal Bureau of Investigation.

This subpoena is issued on application of the ~~UNITED STATES ATTORNEY~~ United States Govt, DED

LEWIS ORCEL

Clerk.

date June 6, 1973

By *Thomas Blanton*

Deputy Clerk.

Strike the words "and bring with you" unless the subpoena is to require the production of documents or tangible things, in which case the documents and things should be designated in the blank space provided for that purpose.

RETURN

received this subpoena at *Newark, N.J.* on *June 7, 1973* at *[redacted]* I served it on the *[redacted]* within named *[redacted]* by delivering a copy to *[redacted]* and tendering to *[redacted]* the fee for one day's attendance and the mileage allowed by law.

date *June 12*, 1973

By *[redacted]*
FBI, Newark, N.J.

Service Fees
Travel \$
Services \$
Total \$

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 6/28/73

[redacted]
[redacted] made available Xerox copies of [redacted]
[redacted]

[redacted] advised that these Xerox copies represented everything contained in [redacted]

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Interviewed on 6/18/73 of [redacted] File # Newark 145-1267

SA [redacted] pfs Date dictated 6/22/73
by [redacted] b6
b7C

185

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 240

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9/8

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN LOS ANGELES	DATE 7/23/73	INVESTIGATIVE PERIOD 5/14/73 - 7/18/73
TITLE OF CASE PUBLIC SHOWING OF THE MOTION PICTURE FILM ENTITLED "DEEP THROAT", Director is GERARD DAMIANO, aka Jerry Gerard, ET AL:		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY pml
<div style="border: 1px solid black; width: 300px; height: 60px;"></div>		CHARACTER OF CASE ITOM	

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b7C

REFERENCES: New York airtel to Los Angeles, 5/30/73.
New York airtel to Los Angeles, 7/12/73.
Los Angeles airtel to New York, 7/2/73.

- P -

ADMINISTRATIVE

On 6/13/73, Postman, United States Post Office, 12450 Magnolia Avenue, North Hollywood, California, stated he has delivered mail to North Hollywood, California. He said he did not recall any particular packages, but said he had delivered large manila envelopes on several occasions, always addressed to

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALE	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 2 - Bureau
1 - USA, Los Angeles
1 - New York (145-3400) (Info)
2 - Los Angeles (145-1851)

145-5049

12

MCT-16

REC-60

6 JUL 30 1973

ST-104

Dissemination Record of Attached Report			
Agency	1 - AAG (CCIM)		
Request Recd.	8/8/73		
Date Fwd.	11/11/73		
How Fwd.	15X		

Not to be used

DATA PROC

LA 145-1851

G. Damiano Film Productions. He further advised that on 6/6/73, [REDACTED] and Damiano Film Productions furnished a forwarding address of 2022 Benedict Canyon Drive, Beverly Hills, California.

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b7C

LEADS

NEW YORK

AT NEW YORK CITY, NEW YORK: A copy of this report is being furnished the New York Office as they are currently conducting an investigation in this matter.

LOS ANGELES

AT LOS ANGELES, CALIFORNIA: Will follow and report investigation being conducted by the New York Office, also, follow this case with the local United States Attorney's Office.

B*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Los Angeles

b6
b7C

Report of: [REDACTED]

City: Los Angeles, California

Date:

7/23/73

Field Office File #:

145-1851

Bureau File #:

Title:

PUBLIC SHOWING OF THE MOTION
PICTURE FILM ENTITLED
"DEEP THROAT",
Director is GERARD DAMIANO;
ET AL:

Synopsis:

Synopsis:

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: The movie "Deep Throat" was filmed at the Voyager Motel on Biscayne Boulevard, North Miami, Florida, and other locations in about January 1972. The movie "Deep Throat" was viewed at the Pussycat Theatre, Los Angeles, on 6/11/73. The movie had explicit acts of fellatio, cunnilingus, anal and sexual intercourse, oral copulation, and ejaculation. There were close up shots of genital areas and the penetration. Subpoenas issued for numerous individuals to appear before Federal Grand Jury at Los Angeles. On 7/2/73, [REDACTED]

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[REDACTED] appeared before Federal Grand Jury, Los Angeles, and [REDACTED] Fifth Amendment. Records obtained from [REDACTED]

[REDACTED] made avail-
able [REDACTED]

- P -

LA 145-1851

DETAILS:

AT NEW YORK, NEW YORK

By communication dated May 29, 1973, the New York Office furnished the following information:

Investigation has shown that GERARD DAMIANO, also known as JERRY GERARD, 30-20 75th Street, Jackson Heights, New York, and LOUIS PERAINO, residence unknown, formed Damiano Film Productions, Incorporated, in February or March 1971, and opened an office in the 200 block of West 42nd Street, New York, New York. DAMIANO wrote, directed, and edited the film "Deep Throat", and PERAINO was responsible for the production of this movie.

DAMIANO has advised that he sold his third interest in Damiano Film Productions, Incorporated, now located at 630 Ninth Avenue, New York, New York, to LOU PERAINO around June or July 1972, and has had nothing to do with the film since that time.

The movie "Deep Throat" was filmed in part at the Voyager Motel, Biscayne Boulevard, North Miami, Florida, in about January 1972, by one LEONARD JOSEPH CAMPAGNO [REDACTED]

[REDACTED] LINDA TRAYNOR, also known as LINDA LOVELACE, who had female lead in "Deep Throat" was as of the latter part of May, residing at the Plaza Hotel in New York, with [REDACTED]

[REDACTED] CAROL KYZER, who had the supporting role in "Deep Throat" as the blonde nurse, resides at [REDACTED]

[REDACTED] HERB STRIKER, who had male lead in picture "Deep Throat", resides at [REDACTED]

The records of the Voyager Motel mentioned above, shows DAMIANO and associates, including [REDACTED]

[REDACTED] quartered at this motel from January 11, 1972, to January 25, 1972, and all motel bills were paid for by DAMIANO.

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b7c

LA 145-1851

TERRY LEVENE, President and sole officer of Aquarius Releasing, Incorporated, admits being the distributor of "Deep Throat" for the New York territory, which encompasses all of New York State and parts of New Jersey. [REDACTED]
[REDACTED]

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The nationwide distributor of this film believed to be Damiano Film Productions, Incorporated, Room 1006, 630 Ninth Avenue, New York, New York. The officers of this company are believed to be PHIL PARISI, President, and LOUIS PERAINO, Vice President, and ANTHONY PERAINO, Secretary-Treasurer.

On May 23, 1973, the United States Customs Bureau, New York, New York, advised that one positive print of "Deep Throat" marked "American Goods Returned", seized by United States Customs on April 9, 1973, at John F. Kennedy International Airport, Queens, New York. Records, Luftansa Airlines, show film shipped by Map, Basel, Munich, West Germany, via Luftansa Airlines, consigned to Aquarius Releasing, 229 West 42nd Street, New York, New York. Civil complaint filed by United States Customs on April 12, 1973, in Federal District Court, Eastern District of New York, and forfeiture proceedings pending.

United States Customs further advised that a copy of the film "Deep Throat" was also seized by United States Customs at Boston, Massachusetts, earlier this year, and forfeiture proceeding concluding resulted in seizure of the film after it was declared obscene according to statute by a Federal District Court Judge at Boston.

AT NEWARK, NEW JERSEY

By communication dated June 20, 1973, the Newark Office furnished the following information:

BONDED FILM DISTRIBUTORS

ACCOUNT G - DIAMOND

PRINT RECORD

NO. OF SINGLE REELS 7

PICTURE DEEP-THROAT

STORAGE #	PRINT #	RECEIVED		PERM. SHIP		STORAGE #	PRINT #	RECEIVED		PERM. SHIP	
		FROM	DATE	TO	DATE			FROM	DATE	TO	DATE
X	003	AGUACIUS	1/17/73	Ind. Ind.	1/3/73						
X	7	"	"	Ind. Ind.	"						
X	1	"	1/17/73	Ind. Ind.	1/10/73						
X	9	AGUACIUS	12/1/72	"	3/1/73						
X	105	AGUACIUS	1/1/73	Ind. Ind.	1/2/73						
X	107		1/3/73	Ind. Ind.	1/3/73						
X	109			"	"						
X	3A			"	"						
X	3	AGUACIUS	1/3/73	Ind. Ind.	1-5-73						
X	114	"	1/1/73	L.A.	1-15-73						
X	1	WASH. D.C.	2/7/73	Ind. Ind.	2-16-73						
X	2	"	"	Ind. Ind.	2-21-73						
X	3	"	"	Ind. Ind.	2-15-73						
X	4	"	"	"	"						
X	1	IND. IND.	3-1-73	630 9th AVE	3-2-73						
X	12	AGUACIUS	7/10/72	"	2-19-73						
X	1	DETROIT	3-26-73								

BONDED FILM DISTRIBUTORS

ACCOUNT AQUARIUS PRINT RECORD

NO. OF SINGLE REELS 7

PICTURE DEEP THROAT

STORAGE #	PRINT #	RECEIVED		PERM. SHIP		STORAGE #	PRINT #	RECEIVED		PERM. SHIP	
		FROM	DATE	TO	DATE			FROM	DATE	TO	DATE
X	1	Phelps Co	7/26/72	G. Diamond	11/1/72						
X	2		6/29/72	Essex	7/26/72						
X	3	"	"	Diamond	7/27/72						
X	3A	"	6/28/72	G. Diamond	7/27/72						
X	4	G. Diamond	7/11/72	Millard	7/27/72						
X	5	G. Diamond	7/16/72	Aquarius off	7/27/72						
	6		7/14/72								
X	7	"	"	Essex	11/1/72						
X	8		7/27/72	Aquarius off	7/27/72						
X	9	Scotsdale	8/14/72	New Orleans	7/27/72						
	101		7/18/72								
X	102	"	"	Williamson	5-14-72						
X	103	"	"	Pitts	4/23/72						
X	104	"	"	Benjamin	12-21-72						
X	105	Harold Kays	8/24/72	Quikway	7/27/72						
X	106		7/11/72	Essex	7/27/72						
X	107	Diamond off	"	Ind. Ind.	7/10/72						
X	108	Essex	7/11/72	Millard	7/27/72						
X	109	Buck Herman	7/27/72	G. Diamond	7/27/72						
	110	"	"								
X	103	DETROIT	7/26/72	G. Diamond	7/1/72						
X	11	EASTON PA	10/6/72								
X	105	Ind Ind	7/29/72	Diamond	7/27/72						
X	109	AQUARIUS off	7/27/72	G. Diamond	7/1/73						
X	110	"	"	Aquarius off	1-5-73						
X	111	"	"	Aquarius off	1-17-73						
	112	"	"								
X	113	"	"	Benjamin	12-11-72						
X	114	"	"	G. Diamond	7/27/72						
X	115	"	"	630 9th	1-11-73						
X	9		7/11/72	Diamond	7/1/72						
X	12	Essex	7/27/72	G. Diamond	7/1/73						
X	13	Phyrexia PA	7/1/73	Aquarius off	2-2-73						
	14	SPRINGHOUSE	"								
X	13	AQUARIUS off	7/1/73								
X	104	Buck Herman	7/27/72	Aquarius off	7/27/72						

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b7C

[illegible]

LA 145-1851

AT LOS ANGELES, CALIFORNIA

On June 11, 1973, the movie "Deep Throat" was viewed at the Pussycat Theatre, 7734 Santa Monica Boulevard, Los Angeles, California, and the contents of the film are described as follows:

FEDERAL BUREAU OF INVESTIGATION

6/13/73

Date of transcription

1

SA [redacted] FBI, Los Angeles, California attended the Pussy Cat Theatre, 7734 Santa Monica Boulevard, Los Angeles, California on June 11, 1973. The admission ticket was \$5.00 and a ticket stub was received bearing number 350046. I entered the theatre at approximately 12:05 p.m.

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The movie, "Deep Throat", which was in color with reasonably good sound began at approximately 12:25 p.m. At the beginning credit for the film was given to Vanguard Films and LINDA LOVELACE is portrayed by herself. Other individuals connected with the movie were HARRY REEMS, CHIC KATINE, Assistant Director, ROSE ANDERSON, Assistant Editor, and LOU PERRY, Producer. It was written, directed and edited by JERRY GERARD.

The film begins with a female, later determined to be LINDA LOVELACE, walking along a bay inlet. After walking only a short distance from the bay to a surface street she enters a blue two-door Cadillac with a white top. She appears to drive for several miles and then arrives at what appears to be a private residence. She enters the residence and discovers her girl friend, female number two, in the kitchen partly undressed sitting on a counter top in a spread open position. There is a male performing an act of cunnilingus on her. Female number two asked LINDA for a cigarette, which she gave to her. After lighting the cigarette female number two asked the male who was performing cunnilingus on her if he "minded her smoking while he was eating." There was a close up shot of the female's genital area. The next scene shows LINDA and female number two in bathing suits seated on chase lounges near a swimming pool. The pool appears to be part of a motel or hotel. LINDA is complaining that she does not receive enough pleasure from her sexual activities. Female number two tells her that maybe she is not doing things right. LINDA indicated that she would be willing to try anything.

The next scene is back at what appeared to be the private residence where LINDA and a male are engaged in

Interviewed on 6/11/73 at Los Angeles, California File # Los Angeles 145-1851

by

SA [redacted]

BFC
pan

Date dictated

6/12/73

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LA 145-1851

an act of anal intercourse with close up shots of both their genital areas.

There was also a close up shot of the penetration. The male ejaculated on to her lower back.

In another room female number two, in a kneeling position, is performing with two males. She performs fellatio on one of the males while the other male has sexual intercourse with her from the back position and he ejaculates on to her lower back. One of the males then performs an act of cunnilingus on her and then there is an act of anal intercourse.

In the meantime, LINDA performed fellatio on the male and then they engaged in an act of sexual intercourse with her sitting on his mid section facing his feet.

The scene changes to show LINDA and female number two walking along a water inlet and they are talking about LINDA's lack of sexual fulfillment. LINDA feels she is not getting out of sex what she thinks she should be. LINDA claims she only receives a tingle during her sexual activities and she feels she should have the feeling of bells ringing and bombs bursting which she does not receive.

Her girl friend suggest that she contact a doctor and maybe he could determine her problem.

The next scene shows LINDA in a doctor's office where she is explaining her problem to him in that she wants more than just tingles from her sex acts. He has her undress from the waist down and as she sits on a couch in a spread open position he examines her vagina with a close up shot of the examination. He informs her that she does not have a clitoris. She begins to cry and he asks her that during a sex act where does she receive the most pleasure and she replied at the bottom of her throat. The doctor examines her throat where he finds her clitoris and informs her that now all they have to do is find a solution

3
LA 145-1851

to her problem. The doctor suggested that she perform fellatio on him to determine if this would solve her problem. She performed oral copulation on him and he ejaculates on to her mouth. During this act the picture and sound portion depicts animated men ringing a large bell with the fourth of July type rockets bursting in the sky apparently implying she is receiving great sexual satisfaction from this act.

She tells the doctor that he has saved her life and wants him to marry her, but he refuses. He offers her a job as a physical therapist. She accepts the job and is assigned to make house calls.

The next scene shows LINDA dressed in a nurses uniform enroute to and arriving at what appeared to be a private residence. Waiting for her was a blond male, age about 25. After practically no conversation he undresses, she partly undresses and she performed fellatio on him followed by engaging in sexual intercourse on a table.

The next scene was that of a female, possibly LINDA, where the male inserts what appeared to be a small container into her vagina and fills it with a liquid from a coke can. A clear plastic tube is then placed in the vagina container and they both take turns drinking the liquid through the plastic tube.

The scene changes showing the doctor having sexual intercourse with his nurse while dictating into a dictating machine.

The scene changes showing LINDA getting dressed in a room where a male is lying on a bed. His problem is that his wife died three years ago, he had not had sexual intercourse since that time and he is getting pains in the groin. He indicates he is satisfied with LINDA's treatment, activities not shown, and he would like for her to treat him several times a week. He remarked that money was no object and showed her his Blue Cross Medical Card.

4
LA 145-1851

Numerous scene changes were observed showing explicit scenes of fellatio, cunnilingus and sexual intercourse.

The movie ended at approximately 1:25 p.m. It is estimated that from 70 to 80 percent of the movie consisted of some form of sexual activity.

LA 145-1851

The following article was obtained from the
Hollywood Reporter newspaper on June 15, 1973:

(Mount Clipping in Space Below)

PIRACY ON THE PORNO CIRCUIT

"DEEP THROAT" PINCH BARES BOOTLEG PRINTS

Flourishing traffic in pirated prints of "Deep Throat" — with a heavy concentration in private Beverly Hills projection rooms — has come to light in the wake of a Pasadena arrest in which allegedly illicit film cassettes of the pornographic movie were being shown as part of a motel's room service.

Suspicion that the movie was bootlegged by a person or persons associated with a major theatre circuit was voiced yesterday by Vincent Miranda, president of Pussy Cat Theatres, holder of exclusive California distribution rights on "Deep Throat."

"When 'Deep Throat' came out," he told The Hollywood Reporter, "there were a lot of major chains that were trying to get it, and they were actually looking at it, so we feel that (it was) one of the big boys in the business. We know the names of all the people that own it."

The probe is being pushed by D'Amiano Films, distributors of "Deep Throat," in the hope of developing sufficient evidence to warrant legal action. D'Amiano's western division manager, Don Ritchie, joined Miranda in the assertion that pirate film cassettes were involved in the arrest of Robert Donahue, operator of the Lucky Star Motel in Pasadena.

Donahue was booked by Sheriff's deputies on a charge of distributing obscene material by including screening of "Deep Throat" as part of the room rental at his establishment. Two-hour use of a "Deep Throated" room was \$17, while all night rental was \$20, according to Sheriff's investigators. The piracy alleged by D'Amiano and Miranda was not a factor in the arrest.

Ritchie confirmed that he has been "tracking some people that have these back to the source," and said the bootleg operations extend beyond "Deep Throat." D'Amiano has sold "Deep Throat" film cassette rights to the New Era Co. in New York, but the authorized package, while being advertised, is not yet available. "Deep Throat," in color and unexpurgated, is being offered in cassette form for \$350 through New Era's Channel X Film Club.

(Indicate page, name of newspaper, city and state.)

Page 1 Hollywood
Reporter
Hollywood, Calif.

Date: 6/15/73
Edition: Friday final
Author:
Editor: James Powers
Title:

Character:
or
Classification:
Submitting Office: Los Angeles
☐ Being Investigated

The licensed cassette film, according to Ritchie, has a secret identifying mark which makes it readily distinguishable from the pirated version.

Astonishment was expressed by Miranda over the magnitude of the circulation of bootlegged prints of "Deep Throat." He said he not only opposes the operation because it is "completely illegal," but because "Deep Throat" business has been tapering off at his Pussy Cat Theatre on Santa Monica Boulevard in Hollywood. He revealed that weekly grosses have tailed from \$95,000 to \$55,000 "so I need every five I get now to get back to my \$100,000."

Miranda claimed that his social travels reveal "Deep Throat" to be a greater conversation monopolizer than the Watergate scandal. At a party recently, he said, a woman implored him, "Let's not discuss the Watergate case. I'm so bored with it. Let's discuss something interesting — like Deep Throat."

—Will Tusher

On May 14, 1973, [redacted] apartments at 12309 Burbank Boulevard, North Hollywood, advised that no one named DAMIANO resided in Apartment 27 at that address. She stated a man named [redacted] had lived alone in this apartment for about one year. All she knew about him was that he was supposedly a [redacted]

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Upon departing [redacted] it was observed that [redacted] was listed on the mailbox of Apartment 27 along with the name "G. Damiano Film Prods".

On May 17, 1973, [redacted] was recontacted concerning DAMIANO. She stated she had noticed no particular mail or packages received for DAMIANO. She recalled that about one year ago, an unidentified man rented Apartment 27 for [redacted] stating [redacted] was going to work for the man and would arrive in Los Angeles later. [redacted] arrived almost two months later, during which time the apartment was vacant. She had no record of who the first man was. She said [redacted] was out of town a great deal, which is why she believed he was a salesman, and stated that he had currently been gone for almost a week. She described [redacted] as follows:

Sex	Male
Race	Caucasian
Age	Late 30s or early 40s
Height	6'
Hair	Brown
Complexion	Fair
Build	Slender
Characteristics	Very good looking man

She stated [redacted] drove a 1971 or 1972 Thunderbird or Mercury with Texas license plates, the number of which she did not know.

On May 22, 1973, SO [redacted] caused a search of the records of the Credit Bureau of Greater Los Angeles, however, no record identifiable with [redacted] was located.

SO [redacted] caused a search of the records of the Los Angeles Traffic Bureau, however, no record identifiable with [redacted] was located.

LA 145-1851

On June 5, 1973, Assistant United States Attorney (AUSA) ELGIN C. EDWARDS, Los Angeles, issued a subpoena for [REDACTED]

[REDACTED] to appear before a Federal Grand Jury at Los Angeles, on July 2, 1973, at 10:00 a.m.

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At the request of [REDACTED] attorney, the Grand Jury date was extended to July 9, 1973, at 10:00 a.m.

On July 5, 1973, [REDACTED] contacted AUSA EDWARDS, and advised that he would deliver [REDACTED] to the Los Angeles area, to the United States Attorney, Eastern District of New York, rather than make the trip to Los Angeles.

A copy of the subpoena is being made part of this report:

United States District Court
FOR THE
CENTRAL DISTRICT OF CALIFORNIA

To

b3
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b7C

You are hereby commanded to appear in the United States District Court for the Central
 District of California Room 1346-A, U.S. Court House,
 at 312 North Spring Street in the city of
 Los Angeles on the 2nd day of July 1973 at 10:00 o'clock A. M. to
 testify before the Grand Jury and bring with you¹

all records and correspondence pertaining to

This subpoena is issued on application of the United States of America.

ECB:eat
 (213) 698-2423

EDWARD M. KRITZHAN

Clerk.

Date June 5, 19 73
 WILLIAM D. KEMMER, U.S. Attorney

By

Robert J. Felli
 Deputy Clerk.

1. Write the words "and bring with you" unless the subpoena is to require the production of documents or tangible things, in which case the documents and things should be designated in the blank space provided for that purpose.

RETURN

Received this subpoena at _____ on _____
 and on _____ at _____ I served it on the
 within named _____
 by delivering a copy to _____ and tendering² to _____ the fee for one day's attendance and the mileage
 allowed by law.

Date

19

By

Service Fees

Travel \$

Services

Total \$

¹ Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules Criminal Procedure).

LA 145-1851

On June 11, 1973, AUSA EDWARDS issued a subpoena for [redacted] to appear before a Federal Grand Jury at Los Angeles, on July 2, 1973.

On June 14, 1973, United States Marshal's Office, served the subpoena on [redacted]

On July 2, 1973, [redacted] appeared before the Grand Jury, [redacted]
[redacted]

b3
b6
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A copy of the subpoena is being made part of this report:

United States District Court
FOR THE

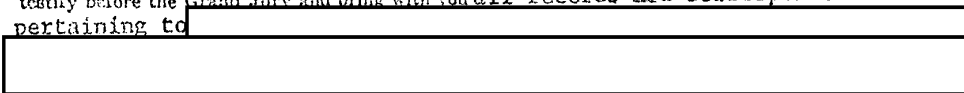
CENTRAL DISTRICT OF CALIFORNIA

To



b3
b6
b7C

You are hereby commanded to appear in the United States District Court for the Central
District of California at 312 North Spring Street in the city of
Los Angeles on the 2nd day of July 19 73 at 10:00 o'clock A. M. to
testify before the Grand Jury and bring with you all records and correspondence
pertaining to



This subpoena is issued on application of the United States of America

EDWARD M. KRITZMAN

Clerk.

ECE:ms

Date June 11 19 73
WILLIAM D. KELLER
United States Attorney

By

Robert J. Folli
Robert J. Folli Deputy Clerk.

1. Strike the words "and bring with you" unless the subpoena is to require the production of documents or tangible things, in which case the documents and things should be designated in the blank space provided for that purpose.

RETURN

Received this subpoena at _____ on _____
and on _____ at _____ I served it on the
within named _____
by delivering a copy to _____ and tendering² to _____ the fee for one day's attendance and the mileage
allowed by law.

Date _____, 19 _____

By _____

Service Fees

Travel _____ \$

Services _____ \$

Total _____ \$

² Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules Criminal Procedure).

LA 145-1851

On June 27, 1973, AUSA EDWARDS issued a subpoena directing [REDACTED] to appear before a Federal Grand Jury at Los Angeles, on July 9, 1973. He was directed to bring with him all records pertaining to the [REDACTED]
[REDACTED]

b3
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A copy of the subpoena is being made part of this report:

United States District Court
FOR THE

CENTRAL DISTRICT OF CALIFORNIA

To

b3
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b7C

You are hereby commanded to appear in the United States District Court for the **Central**
District of **California** at **Rm 1346B, U.S. Courthouse**
at 312 North Spring Street in the city of
Los Angeles on the **9th** day of **July** **1973** at **10:00** o'clock **A. M.** to
testify before the Grand Jury and bring with you ¹ all records pertaining to

This subpoena is issued on application of the **United States of America.**

EDWARD M. KRITZMAN

Clerk.

ECE:ms

Date June 27, 1973.

WILLIAM D. KELMER
United States Attorney

By

Robert J. Pollis
Robert J. Pollis *Deputy Clerk.*

1. Strike the words "and bring with you" unless the subpoena is to require the production of documents or tangible things, in which case the documents and things should be designated in the blank space provided for that purpose.

This subpoena may be satisfied by delivering the above
information to any special agent of the Fed Bureau
of Investig.

Date _____, 19____.

By _____.

Service Fees

Travel _____ \$

Services _____

Total _____ \$

* Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules Criminal Procedure).

Subpoena not served as *on*
6/27/73. voluntarily furnished desired information from his records
without the subpoena. 7/3/73 -21-

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/5/73

1

[redacted]
[redacted]
advised that all of the [redacted]
[redacted]

b3
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b7C

[redacted]
[redacted]
At no time does he [redacted]
[redacted]
[redacted]
[redacted]

He stated in regard to the [redacted]
[redacted]

He does not recall that [redacted]
[redacted]

Interviewed on 6/29/73 at Los Angeles, California File # Los Angeles 145-1851

by

SA [redacted]

BFL.
pan

Date dictated

6/29/73b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

²
LA 145-1851

[redacted] made available [redacted]
[redacted] which are being made part of this file.

b3
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b7C

LA 145-1851

On July 2, 1973, AUSA EDWARDS issued a subpoena for [redacted] to appear before a Federal Grand Jury at Los Angeles, on July 30, 1973, at 10:00 a.m.

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On July 9, 1973, the subpoena was served on [redacted] true name [redacted] at [redacted]
[redacted] (SA [redacted])
and SA [redacted]

A copy of the subpoena is being made part of this report:

United States District Court
FOR THE

CENTRAL DISTRICT OF CALIFORNIA

To

You are hereby commanded to appear in the United States District Court for the Central
District of California at 1346B, U.S. Courthouse
at 312 North Spring Street in the city of
Los Angeles on the 30th day of July 1973 at 10:00 o'clock A. M. to
testify before the Grand Jury and bring with you

b3
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b7C

This subpoena is issued on application of the United States of America.

ECE

EDWARD M. BRITZMAN

Clerk

ECE:ms

Date July 2, 1973
WILLIAM D. KELLER
United States Attorney

By

Robert J. Folio Deputy Clerk

2. Strike the words "and bring with you" unless the subpoena is to require the production of documents or tangible things in which case the documents and things should be designated in the blank space provided for that purpose.

RETURN

Received this subpoena at _____ on _____
and on _____ at _____ I served it on the
within named _____
by delivering a copy to _____ and tendering* to _____
the fee for one day's attendance and the mileage
allowed by law.

Date _____, 19____

By _____

Service Fees

Travel \$ _____

Services \$ _____

Total \$ _____

* Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules of Criminal Procedure).

served on

On 7/19/73 by SA

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 7/12/73

[redacted] was contacted at his residence, [redacted]. He was shown FBI credentials as proof of identities of SAs [redacted] and [redacted].

[redacted] was served with a subpoena to appear in United States District Court for the Central District of California, Room 1346 B, United States Courthouse, at 312 North Spring Street, in the City of Los Angeles, on the 30th day of July 1973, at 10:00 a. m., to testify before the Federal Grand Jury.

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b7C

[redacted] read the subpoena and acknowledged that he understood that the date for his appearance before the Grand Jury was July 30, 1973.

[redacted] was shown a copy of the Interrogation; Advice of Rights form, and after briefly examining it, he indicated that he would decline to sign the form or make any statement until he had consulted with the legal department of his company. He stated that he planned to call them this date and request he be contacted on July 10, 1973, at which time he would have an answer concerning him submitting to an interview.

As a means of identification [redacted] made available [redacted] driver's license which had the following information:

Name
AddressLicense number
Expiration date

The following description of [redacted] was obtained through observation:

Interviewed on 7/9 - 10/73 at [redacted] # Los Angeles 145-1851

by SAs [redacted] and BFC
[redacted] BFC/lsp

Date dictated 7/11/73b6
b7C

2

LA 145-1851

Age	[REDACTED]
Height	6' 1"
Weight	180 pounds
Hair	Light brown
Complexion	Medium

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b7C

On July 10, 1973, [REDACTED] was telephonically contacted, at which time he advised that he had contacted the legal department of his company and they instructed him not to make any statement until he had conferred with their attorney. He said the attorney was out of town and would not return for about one week. They instructed him to answer the subpoena.

[REDACTED] requested he be recontacted in about one week and by that time he would have conferred with his attorney and he should know if he will be permitted to make a statement.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 7/9/73

ROBERT HERTZ, Owner, Minute Man Messenger Service, 3560 Sunset Boulevard, Suite 701, advised he has an account for Damiano Films of 12309 Burbank Boulevard, North Hollywood, California. He has had this account since January 15, 1973, and the account was established by telephone. He always deals with the person by the name of [] and he believes the last name could be [] One of his delivery orders has the name Damiano Films - [] [] The telephone number for [] is []

HERTZ stated his business is strictly a delivery service and he only makes pick ups and deliveries at the request of his customers.

He advised that once the delivery has been made they do not retain the original delivery receipt reflecting the signature of the person who accepted delivery. This original receipt, in approximately one week after delivery, is mailed to the customer along with a statement for payment and, therefore, they would have no original delivery records after approximately one week after delivery. HERTZ made available six xerox copies of delivery orders which pertain to seven deliveries dating back to January 5, 1973, for the account of Damiano Films.

Each of the pick ups and deliveries are being placed on separate FD 302s along with HERTZ' comments concerning each order.

b6
b7C

Interviewed on 7/6/73 at Los Angeles, California File # Los Angeles 145-1851

by

SA []

BFC
heb

Date dictated

7/9/73

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 7/9/73

ROBERT HERTZ, Owner, Minute Man Messenger Service, 3560 Sunset Boulevard, Suite 701, made available a xerox copy of the following described service order and furnished the following information:

CUSTOMER

Damiano Films
12309 Burbank Boulevard
North Hollywood, California

Order number 10613, dated January 5, 1973.
Damiano Films was billed on January 15, 1973, for \$4.00 delivery charge.

The pick up was made at Motion Picture Rating Board, 8480 Beverly Boulevard, Los Angeles, and the order contained film titled, "Legacy of Satan". The film was delivered to United Theatrical Amusement (UTA), 1658 Cordova Street, Los Angeles. The authorization to pick up the film was called in by [redacted] at UTA.

A copy of the Minute Man order is attached.

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Interviewed on 7/6/73 at Los Angeles, California File # Los Angeles 145-1851

by SA [redacted] BFC sh Date dictated 7/9/73

STATEMENT
MINUTE MAN MESSENGER SERVICE INC.
8540 Sunset Boulevard, Suite 707
Los Angeles, California 90069
(213) 657-7424

DAMIANO FILMS
12309 BURBANK BLVD.
NORTH HOLLYWOOD, CALIFORNIA

DETACH AND MAIL WITH YOUR CHECK. YOUR CANCELLED CHECK IS YOUR RECEIPT.

JANUARY 15, 1973

1-5-73

10613

\$ 4.00

Rediform
85 884

PAID BY CHECK NO.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 7/9/73

ROBERT HERTZ, Owner, Minute Man Messenger Service, 8560 Sunset Boulevard, Suite 701, made available a xerox copy of the following described service order and furnished the following information:

CUSTOMER

Damiano Films
12309 Burbank Boulevard
Room 27
North Hollywood, California

Order number 12709, dated January 19, 1973.
Damiano Films was billed on January 22, 1973, for \$4.00 for delivery service.

The pick up of film was made at United Theatrical Amusement (UTA), 1653 Cordova Street, Los Angeles, and he believes the title of the film was, "The American Sexual Revolution", and it was delivered to the Pussycat Theater, 5445 Sunset Boulevard, Los Angeles. The person who authorized the pick up and delivery was a person by the name of DICK (Last Name Unknown), who works at the Pussycat Theater.

A copy of the Minute Man order is attached.

Interviewed on 7/6/73 at Los Angeles, California File # Los Angeles 145-1851

by

SA

eh

Date dictated

7/9/73

b6

b7c

STATEMENT
MAYNIE MAN BUSINESS SERVICE INC.

8540 Sunset Boulevard, Suite 701
Los Angeles, California 90069
(213) 657-7424

DAMIANO FILMS
12309 BURBANK BLVD RM # 27
NORTH HOLLYWOOD, CALIFORNIA

DETACH AND MAIL WITH YOUR CHECK. YOUR CANCELLED CHECK IS YOUR RECEIPT.

JANUARY-22-1973

1-19-73

12709

\$ 4.00

Rediform

BS 684

PAID BY CHECK NO.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 7/9/73

ROBERT HERTZ, Owner, Minute Man Messenger Service, 8560 Sunset Boulevard, Suite 701, made available a xerox copy of the following described service order and furnished the following information:

CUSTOMER

Damiano Films
12309 Burbank Boulevard
North Hollywood, California

Order number 10632, dated January 22, 1973.
Damiano Films was billed on January 29, 1973, for \$4.00, for delivery service.

The pick up of film was made at the Motion Picture Rating Board, 8480 Beverly Boulevard, Los Angeles, and it was one reel of film titled, "Legacy of Satan", and it was delivered to United Theatrical Amusement (UTA), 1658 Cordova Street, Los Angeles.

The authorization for this order was called in by SANDY of UTA. A copy of the Minute Man order is attached.

Interviewed on 7/6/73 at Los Angeles, California File # Los Angeles 145-1851

by

SA

heh

Date dictated

7/9/73

b6

b7C

STATEMENT

MINUTE MAN MESSENGER SERVICE INC.

6860 Sunset Boulevard, Suite 705

Los Angeles, California 90069

(213) 657-7424

DIAMANO FILMS
22309 BURBANK BLVD.
NORTH HOLLYWOOD, CALIFORNIA.

DETACH AND MAIL WITH YOUR CHECK. YOUR CANCELLED CHECK IS YOUR RECEIPT.

JANUARY 29, 1973

1-22-73

10632

\$ 4.00

Rediform
85 884

PAID BY CHECK NO.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 7/9/73

ROBERT HERTZ, Owner, Minute Man Messenger Service, 8560 Sunset Boulevard, Suite 701, made available a xerox copy of the following described service order and furnished the following information:

CUSTOMER

Damiano Films - [REDACTED]
12309 Burbank Boulevard
North Hollywood, California

Order number 12736, dated April 27, 1973. Damiano Films was billed on April 30, 1973, for \$7.00, for delivery service.

The pick up was made at United Theatrical Amusement (UTA), 1658 Cordova Street, Los Angeles, and delivered to Damiano Films, 12309 Burbank Boulevard, North Hollywood, California. He believes the order was for film. The pick up was authorized by [REDACTED] (Last Name Unknown) at UTA.

A copy of the Minute Man order is attached.

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Interviewed on 7/6/73 at Los Angeles, California File # Los Angeles 145-1851

by SA [REDACTED] ^{BFC}eh

Date dictated 7/9/73

STATEMENT
MINUTE MAN DEVELOPING SERVICE INC.
3830 Sunset Boulevard, Suite 705
Los Angeles, California 90049
(213) 657-7424

DANLERO FILMS - DON RICHIE
12309 BURBANK BLVD.
NORTH HOLLYWOOD, CALIFORNIA

DETACH AND MAIL WITH YOUR CHECK. YOUR CANCELLED CHECK IS YOUR RECEIPT.

APRIL 30, 1973

4-27-73

12736

\$ 7.00

Rediform

SS 384

Poly Pak (50 sets) 8PR64

PAID BY CHECK NO.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 7/9/73

ROBERT HERTZ, Owner, Minute Man Messenger Service, 8560 Sunset Boulevard, Suite 701, made available a xerox copy of the following described service order and furnished the following information:

CUSTOMER

Damiano Film Productions
12309 Burbank Boulevard
North Hollywood, California

Order number 21801, dated May 16, 1973. Damiano Films was billed on May 21, 1973, for \$4.40 delivery service.

The pick up was at 955 Hancock Avenue, West Hollywood, California, and the item was a production board and it was delivered to United Theatrical Amusement (UTA), 1658 Cordova Street, Los Angeles.

The authorization was called in by an unidentified person at UTA.

A copy of the Minute Man order is attached.

Interviewed on 7/6/73 at Los Angeles, California File # Los Angeles 145-1851

by SA [redacted] ^{BFC} hen

Date dictated 7/9/73

b6
b7c

STATEMENT
MINUTE MAN MESSENGER SERVICE INC.
8538 Sunset Boulevard Suite 705
Los Angeles, California 90069
(213) 637-7444

CAMINO FILM PRODUCTIONS
12309 BURBANK BLVD.
NORTH HOLLYWOOD, CALIFORNIA

DETACH AND MAIL WITH YOUR CHECK. YOUR CANCELLED CHECK IS YOUR RECEIPT.

MAY 21, 1973

5-16-73

21801

\$ 4.40

Redifpm

BS 684

Poly Pak (50 sets) 8P884

PAID BY CHECK NO.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 7/9/73

ROBERT HERTZ, Owner, Minute Man Messenger Service, 8560 Sunset Boulevard, Suite 701, made available a xerox copy of the following described service order and furnished the following information:

CUSTOMER

Damiano Films
12309 Burbank Boulevard
North Hollywood, California

Order number 22256, dated June 25, 1973, and order number 20277, dated June 26, 1973, both orders listed on same statement.

Damiano Films was billed on July 2, 1973, for \$12.50 for order number one and \$4.40 for order number two with a total of \$16.90.

Order number 22256 was a pick up at Nova Air Freight, International Airport, Los Angeles, and delivery was made to the Pussycat Theater, 5445 Sunset Boulevard, Los Angeles. The contents of the order was not identified.

The pick up was authorized by [] (believed last name is []).

Order number 20277 was an order for a film pick up at the Pussycat Theater, 5445 Sunset Boulevard, Los Angeles. The item was shipped to the State Theater, Petaluma, California.

The item was delivered to the Greyhound Bus Station, Hollywood, California, for shipment.

The authorization to pick up and deliver was called in by a person by the name of RON.

A copy of the Minute Man order is attached.

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b7c

Interviewed on 7/6/73 at Los Angeles, California File # Los Angeles 145-1851

by SA [] ^{BFS} _{neh} Date dictated 7/9/73

STATEMENT

MINUTE MAN MESSENGER SERVICE INC.

8568 Sunset Boulevard, Suite 708

Los Angeles, California 90049

(213) 657-7424

• DAMIANO FILMS
12309 BURBANK BLVD.
NORTH HOLLYWOOD, CALIFORNIA

DETACH AND MAIL WITH YOUR CHECK. YOUR CANCELLED CHECK IS YOUR RECEIPT.

JULY 2, 1973

6-25-73	# 22256	\$ 12.50
6-26-73	# 26277	<u>\$ 4.40</u>
		\$ 16.90

Reprint

SS 534

Poly Pak (50 Sets) BP284

PAID BY CHECK NO.

LA 145-1851

On July 10, 1973 [REDACTED]

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[REDACTED]
California, advised he had been instructed not to furnish any information from their files. He has been advised to refer all requests to [REDACTED]
[REDACTED]

[REDACTED] made available a copy of a memorandum received from [REDACTED] which is being made part of this report:

LA 145-1851

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On July 10, 1973, AUSA EDWARDS issued a subpoena directed to [REDACTED] to appear on July 30, 1973, at 10:00 a.m., before a Federal Grand Jury at Los Angeles, and bring with him all records pertaining to [REDACTED]
[REDACTED]

A copy of that subpoena is being made part of this report:

United States District Court
FOR THE
CENTRAL DISTRICT OF CALIFORNIA

To

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You are hereby commanded to appear in the United States District Court for the Central
District of California at Rm 1346B, U.S. Courthouse in the city of
Los Angeles on the 30th day of July 19 73 at 10:00 o'clock A. M. to

testify before the Grand Jury and bring with you¹ all records pertaining to

THIS SUBPOENA MAY BE SATISFIED BY DELIVERING THE ABOVE INFORMATION
TO ANY SPECIAL AGENT OF THE FEDERAL BUREAU OF INVESTIGATION.

This subpoena is issued on application of the United States of America

EDWARD M. KRITZMAN

Clerk.

ECE:ks

Date July 10, 1973.
WILLIAM D. WELLS
United States Attorney

By

Robert J. Follie
Robert J. Follie Deputy Clerk.

1. Strike the words "and bring with you" unless the subpoena is to require the production of documents or tangible things, in which case the documents and things should be designated in the blank space provided for that purpose.

RETURN

Received this subpoena at _____ on _____
and on _____ at _____ I served it on the
within named _____
by delivering a copy to _____ and tendering² to _____ the fee for one day's attendance and the mileage
allowed by law.

Date _____, 19____

By _____

Service Fees

Travel _____ \$

Services _____

Total _____ \$

² Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs. (Rule 17(b), Federal Rules Criminal Procedure).

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/5/731

PAUL GEORGE, Los Angeles Sheriff's Office, Vice Bureau, 1625 West Olympic Boulevard, advised that according to their records, on March 30, 1973, someone from the Pussycat Theatre, 7734 Santa Monica Boulevard, Los Angeles delivered three reels of .35 millimeter film titled "Deep Throat" to the Municipal Court, Beverly Hills in lieu of it being seized. The court still has the film.

He has examined the reels of film and the container and he obtained the following information from his examination of the film:

The container has a gummed lable attached with the number 006 on it in black lettering. This number is very legible and it appeared to have been the last number used to identify the shipment of the film.

There was also the number 005, but it had been marked through and was almost scratched out and barely legible.

The container had a shipping lable bearing number "PDX 75149701," dated "2/22 " (the year not legible). The carton weighed 42 pounds and had been shipped by United Airlines. The shipper was not listed, but the destination for the shipment was Los Angeles.

Interviewed on 7/2/73 at Los Angeles, California File # Los Angeles 145-1851

by SA [redacted] pan BFC. Date dictated 7/2/73 b6 b7C

LA 145-1851

On July 18, 1973, JOHN KERR, United Airlines Cargo Department, Los Angeles International Airport, made available a copy of a shipping order reflecting shipment from Portland, Oregon, to Los Angeles. The shipping order is being made part of this report:

FROM:

Subject to Conditions of Contract on Back of Shipper's Receipt of the Airbill.

CARRIER		AIRBILL NUMBER		DATE		TO		FLIGHT/DATE		DECLARED VALUE		CUBIC INCHES					
016		PDX		7514 9701		C											
ROUTING: Airway routing applies unless shipper inserts specific routing here.												<input type="checkbox"/> PREPAID <input checked="" type="checkbox"/> COLLECT		United Air Lines P. O. Box 60100 Chicago, Illinois 60666			
TO VIA TO VIA TO VIA TO VIA												A - ASSEMBLY B - CLEARANCE C - CONTAINER D - DISTRIBUTION E - INSURANCE F - SIGNATURE G - SERVICE H - SEPARATE/EARLY I - RELEASE J - MISCELLANEOUS K - SERVICE CHARGE L - PACKAGING M - STORAGE N - STATE SALES TAX O - UNASSIGNED P - REMITTANCE FOLLOWING Q - COLLECTION					
1/ LAX UA																	
2/ CONSIGNEE'S ACCOUNT NUMBER												CONSIGNEE					
NAME: Diamond Film C/O VTA																	
STREET ADDRESS: 1664 Cordova																	
CITY: Los Angeles STATE: Calif. ZIP CODE:																	
DEL. ZONE: SPECIAL INSTRUCTIONS, INCLUDING CUSTOMER REFERENCE NUMBER AND BILLING INSTRUCTIONS																	
3/ SHIPPER'S ACCOUNT NUMBER												SHIPPER					
NAME: Aldrin Theatre																	
STREET ADDRESS: 3017 S. E. Milwaukee																	
CITY: Portland STATE: Oregon ZIP CODE:																	
DIMENSIONAL WGT-LBS												C.O.D. Shipment					
PCR/PCGS LENGTH WIDTH DEPTH CUBIC INCHES																	
ADVANCES																	
OTHER																	
SHIPPER'S C.O.D.																	
C.O.D. FEE																	
TAX																	
TOTAL CHARGES																	
NO. PCS. WEIGHT DESCRIPTION OF PIECES AND CONTENTS CHECKING MARKS, NUMBER												CARRIER COMITY GROUP NO.		CARRIER COMITY GROUP NO.		CARRIER COMITY GROUP NO.	
1/ 42 can film																	
WEIGHT CHARGES PICK UP DELIVERY EXCESS VALUE ADVANCES OTHER SHIPPER'S C.O.D. C.O.D. FEE																	
TAX TOTAL CHARGES 1ST RATE 2ND RATE 3RD RATE ITEMS PREPAID SHIPPER PAYS																	
EXECUTED AT: RECEIVED BY: DATE: TIME: ITEMS COLLECT CONSIGNEE PAYS																	
016 7514 9701																	

4. DELIVERY RECEIPT COPY 2-23-77 1052

LA 145-1851

On July 16, 1973, the subpoena for [REDACTED]

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[REDACTED] to appear before Grand Jury on July 9, 1973,
at 10:00 a.m., was returned to AUSA EDWARDS unserved. [REDACTED]
was to bring with him all records pertaining to the [REDACTED]
[REDACTED]

[REDACTED] voluntarily furnished information from his
files and subpoena was not served.

On July 16, 1973, two copies of a subpoena for [REDACTED]
[REDACTED] to appear before a Grand Jury at Los Angeles, on July
30, 1973, was returned to the United States Attorney's Office.

The subpoena was served on [REDACTED] true name [REDACTED]
[REDACTED]
[REDACTED]

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 7/23/73The following statement was shown to [REDACTED]
[REDACTED]

After reading the statement, he commented that it appeared to be correct, but he desired that his attorney read the statement before he signed it. He made a Xerox copy of the statement to show his attorney.

On July 17, 1973, [REDACTED] advised he had conferred with his attorney, and his attorney desired to discuss the matter with SA [REDACTED]

"July 11, 1973
Los Angeles, California

"T. [REDACTED]
[REDACTED]
[REDACTED]

b3
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[REDACTED] make the following voluntary statement to SAs [REDACTED] and [REDACTED] who have identified themselves to me as Special Agents of the FBI.

7/11/73
Interviewed on 7/17/73 at Los Angeles, California File # Los Angeles 145-1851

by SA [REDACTED] and
SA [REDACTED] pml bfc.

Date dictated 7/18/73

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 7/23/73

Attorney MICHAEL URETZ, 1670 Corinth, Los Angeles, California, telephone 272-1616, advised that before he would authorize [] to sign the statement, he would require some assurance that [] is not to be prosecuted. He was advised that such an assurance would have to come from the United States Attorney's Office, Los Angeles.

Attorney URETZ indicated he would prefer that [] not sign the statement.

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Interviewed on 7/17/73 at Los Angeles, California File # Los Angeles 145-1851

by SA [] pml/vl Date dictated 7/18/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

LA 145-1851

On July 16, 1973, AUSA EDWARDS made available two letters with six enclosures from Attorney [REDACTED]

b3
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[REDACTED] The enclosures are [REDACTED]

[REDACTED] The documents were made available

by [REDACTED]

[REDACTED] as a result of a subpoena, which had been issued.

A Xerox copy of the above [REDACTED] documents are being made part of this report:

LA 145-1851

AT NEW YORK, NEW YORK

By communication dated July 12, 1973, the New York Office advised as follows:

b3

It is to be noted that on July 11, 1973, [redacted] testified before a Federal Grand Jury, Eastern District of New York, in captioned matter, [redacted]

[redacted]

Those AUSA's desiring copy of [redacted] Grand Jury testimony may do so by contacting Special Attorney FRED BARLOW, Strike Force, Eastern District of New York, 35 Tillary Street, Room 327-A, Brooklyn, New York, 212-596-4319.

FBI

Date: 7/26/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (145-5049)
(ATTN: FBI LABORATORY)

FROM: SAC, NEW YORK (145-3400) (P)

SUBJECT: PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT"; DIRECTOR,
GERARD DAMIANO, aka;
ET AL
ITOM-CONSPIRACY; AR
(OO:NY)

Dougherty

730730068

Rerep of SA [REDACTED] at New York,
7/18/73.

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Enclosed herewith for the FBI Laboratory are the
following:

1. One copy of [REDACTED]

2. One copy of [REDACTED]

3. One copy of [REDACTED]

b3
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b7C

- 3- Bureau (Encls. 4) (RM)
(1- ATTN: FBI Laboratory)
2- Albany
2- Jacksonville (145-352)
2- Miami (145-1000)
1- New York

JJM:ms
(11)

REC-89

EX-103

JUL 28 1973

Lab report
CWB:ay
8-31-73SEARCHED
SERIALIZED
INDEXED

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

Index Lab Files

NY 145-3400

Investigation to date in captioned matter indicates that TERRY LEVENE, President and sole officer and director of Aquarius Releasing Inc., 229 West 42nd St., NY, NY, is responsible for the interstate transportation of a print of the motion picture film entitled, "Deep Throat" from Bonded Film Storage Co., Inc., 550 Main Street, Ft. Lee, NJ to the World Theatre, 153-155 West 49th St., NY, NY, on 6/8/72. Latter film seized by NYCPD on 3/1/73 at World Theatre after lengthy trial wherein local judge ruled "Deep Throat" obscene according to local statutes. Also, TERRY LEVENE responsible for importation of another print of "Deep Throat" into the US at JFKI Airport, Queens, NY in April, 1973 which print was seized by US Customs on 4/9/73 at latter airport. Furthermore, Damiano Film Productions, Inc., 630 9th Ave., NY, NY, responsible for importation of still another print of "Deep Throat" from Toronto, Canada to Logan Airport, Boston, Mass. in March, 1973 which print was seized by US Customs on 3/16/73 at latter airport. It is noted that all prints of "Deep Throat" are reportedly owned by Damiano Film Productions, Inc. and Aquarius Releasing Inc. is a sub distributor of "Deep Throat".

Investigation to date further shows that [redacted]

[redacted]
[redacted] would undoubtedly have knowledge of the content of this film. Likewise,

[redacted]
[redacted] would also undoubtedly have knowledge of the content of this film.

Investigation to date also shows that one [redacted]

NY 145-3400

Since it is incumbent upon the government in ITOM cases to prove that at the time of the interstate transportation the subjects had knowledge of the content of the alleged pornographic film, the FBI Laboratory is requested to determine [redacted]

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Also the FBI Laboratory is requested to determine [redacted]

Further the FBI Laboratory is requested to determine [redacted]

The following descriptive data is being set forth on [redacted] to assist the Albany, Jacksonville and Miami offices in obtaining the [redacted]

Name [redacted]

Sex [redacted]

Race [redacted]

DOB [redacted]

POB [redacted]

Height [redacted]

Weight [redacted]

Male

White

5' 9"

200 lbs.

7-2

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Recorded
8/1/73
dlb

Laboratory Work Sheet

NO LAB FILE

Re: PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT"; DIRECTOR,
GERARD DAMIANO, aka;
ET AL;
ITOM-CONSPIRACY; AR
OO: New York

File # 145-5049 -13
Lab.# D-730730068 AV

b6
b7C

Examination requested by: SAC, New York (145-3400) airtel 7/26/73

Examination requested: Document

Date received: 7/30/73

Result of Examination:

QC 28
Examination by: [redacted] 73

QC 26 Photocopy of [redacted]

QC 27 Photocopy of [redacted]

QC 28 Photocopy of [redacted]

b3
b6
b7C

K1 [redacted]

6. Return QC 16 - QC 20 K1 to NY
" QC 21 + 22 to Miami
" QC 23 " Jacksonville
" QC 24 - QC 30 " Albany
Photos retained
Lab Rep'd
CW B:ay
8-31-73

RECEIVED
AUG 2 1973

QC16

QC17

QC1

b3
b6
b7C

QC19

QC20

QC21

QC22

QC23

QC24

QC25

QC26

QC27

QC28

QC29

QC30

EX-100
NO. 100000

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Recorded
8/1/73
dlb

Laboratory Work Sheet

NO LAB FILE

Re: **PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT"; DIRECTOR,
GERARD DANIANO, aka;
ET AL;
ITOM-CONSPIRACY; AR
OO: New York**

File # **145-5049**
Lab.# **D-730730068** **AV**

b6
b7C

Examination requested by: **SAC, New York (145-3400)**

airtel 7/26/73

Examination requested: **Document**

Date received: **7/30/73**

Result of Examination:

Examination by:

GC/b **Qc1** Photocopy of

GC/b **Qc2** Photocopy of

GC/b **Qc3** Photocopy of

b3
b6
b7C

K1

F B I

Date: 8/1/73

Transmit the following in _____
(Type in plaintext or code)b6
b7C

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (145-5049)
ATT: FBI LABORATORY

FROM: SAC, MIAMI (145-1000) (P)

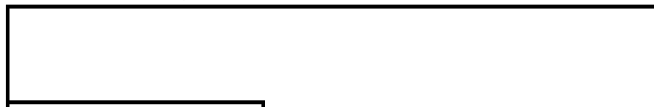
730806076

PUBLIC SHOWING OF MOTION
PICTURE FILM ENTITLED
"DEEP THROAT";
DIRECTOR, GERARD DAMIANO, aka;
ET AL
ITOM - CONSPIRACY; AR

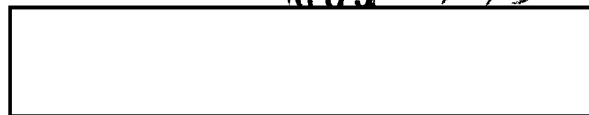
OO:New York

Re New York airtels to Bureau dated 7/25/73 and
7/27/73.Enclosed for the attention of the FBI Laboratory
are the originals of the following two items:

1.

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b6
b7C

2.



5 AUG 6 1973

- ③ - Bureau (RM) (Enc. 2)
- 1 - Albany (RM) (Info)
- 1 - Jacksonville (RM) (145-352) (Info)
- 2 - New York (RM) (145-3400)
- 4 - Miami (2 - 145-1000) (1 [redacted])
(1 - 92-2604)

WPK:sl
(11)b2
b7DApproved: *[Signature]*

Sent _____

M

Per _____

Special Agent in Charge

Index Lab Files

Lab Reps
CW B:ay
8-31-73

SEVEN 14

MM 145-1000

It is pointed out to the FBI Laboratory that Miami does not know as a fact that [redacted]

b3
b6
b7C

[redacted]

b6
b7C
b7D

On 7/31/73, attorney and ex-FBI Agent [redacted] Miami, advised SA [redacted] that he did not have the [redacted] in his possession, but believes they are in the possession of [redacted]

Inquiry at the [redacted] determined that the enclosures were contained in the file of that office [redacted]. The enclosures were obtained from [redacted] an attorney with [redacted] by SA [redacted] 7/31/73. A receipt was furnished [redacted] for the enclosures; noting that when no longer required by the FBI, enclosures are to be returned to [redacted]

b3
b6
b7C

The FBI Laboratory is requested to determine if [redacted]

Thereafter, the Laboratory should maintain the enclosures until advised by New York as to when they may be required for prosecution purposes.

MM 145-1000

For the information of the New York Office,



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LEADS

NEW YORK

AT NEW YORK, N.Y.

1. Will advise FBI Laboratory as to desired place where enclosures should be maintained, following Laboratory examination.

2. Will insure that at a time when the enclosures are no longer required in the investigation or prosecution of this matter, that they be returned to Miami, to be returned to Wicker, Smith.

MIAMI

AT FT. LAUDERDALE, FLA.

Will EXPEDITIOUSLY check



b3
b6
b7C

Recorded
8/8/73
dlb

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

Re: PUBLIC SHOWING OF MOTION
PICTURE FILM ENTITLED
"DEEP THROAT";
DIRECTOR, GERARD DAMIANO, aka;
ET AL;
ITOM - CONSPIRACY; AR

NO LAB FILE
File # 145-5049
Lab.# D-730806076 AV

OO: New York
Examination requested by: SAC, Miami (145-1000) airtel 8/1/73

Examination requested: Document

Date received: 8/6/73

Result of Examination:

Examination by:

See D-730730068AV

b6
b7C

Q21

b3
b6
b7C

Q22

2 - New York (145-3400)

See D-730730068AV
1-10-73

FBI

Date: 8/2/73

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL

(Priority)

b6
b7C

TO: DIRECTOR, FBI (145-5049)
(ATTN: FBI Laboratory)

FROM: SAC, NEW YORK (145-3400) (P)

SUBJECT: PUBLIC SHOWING OF MOTION PICTURE FILM
ENTITLED, "DEEP THROAT"; DIRECTOR,
GERARD DAMIANO, aka
ET AL
ITOM-CONSPIRACY; AR
(OO:NY)

730806075

ReNYairtel to Bureau, 7/26/73.

Enclosed herewith for the FBI Laboratory is one
xerox copy of [redacted]

and one

xerox copy of [redacted]

b3
b6
b7C

The FBI Laboratory is requested to determine if

[redacted] and advise the NYO of the
results of this examination.

- 3- Bureau (Encls. 2) (RM)
(1- FBI Laboratory)
1- New York

JJM:ms
(5)

EX-103

AUG 4 1973

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 35

Index to Files

7-2
Recorded
8/8/73
dlb

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

Re: PUBLIC SHOWING OF MOTION PICTURE FILM
ENTITLED, "DEEP THROAT"; DIRECTOR,
GERARD DAMIANO, aka
ET AL;
ITOM-CONSPIRACY; AR
OO: New York

NO LAB FILE

File # 145-5049-15
Lab.# D-730806075 AV

Examination requested by: SAC, New York (145-3400) airtel 8/2/73

Examination requested: Document

Date received: 8/6/73

Result of Examination:

Examination by

SLD-730 730048 DIV

b6
b7C

b3
b6
b7C

Qc19

Photocopy of

Qc20

Photocopy of

*Lab. 8-8-73
CWB:dlc
8-31-73*



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

b6
b7C

To: **SAC, New York (145-3400)**

Date:

August 31, 1973

From: **Director, FBI**

Re: **PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT";
DIRECTOR GERARD DAMIANO, aka, et al.;
ITOM - CONSPIRACY; AR**

REC-19

FBI File No. **145-5049 - 16**

Lab. No. **D-730730068 AV
D-730806075 AV
D-730806076 AV
D-730810001 AV
D-730827030 AV**

OO: New York
Examination requested by: **New York, Miami, Jacksonville, Albany**

Reference: **Airtels 7/26/73, 8/2/73, 8/1/73, 8/6/73, 8/21/73**

Examination requested: **Document**

Remarks:

If further comparison is desired of the [redacted]
[redacted] on Q21 and Q22 with [redacted]
it will be necessary to [redacted]
[redacted]

b3
b6
b7C

**MAILED 9
AUG 31 1973
FBI**

**Enclosures (8) (Qc16 through Qc20, K1, 2 Lab report)
2 - Albany (145-494) Enclosures (9) (Q24 through Qc30, 2 Lab report)
2 - Jacksonville (145-352) Enclosures (3) (Q23, 2 Lab report)
2 - Miami (145-1000) Enclosures (4) (Q21, Q22, 2 Lab report)**

CWB:alf (10)

ADMINISTRATIVE PAGE

MAIL ROOM ☒

TELETYPE UNIT ☐

b6
b7C

REPORT
of the



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, New York (145-3400)

Date:

August 31, 1973

FBI File No.

145-5049

Lab. No.

D-730730068 AV

Re: PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED , "DEEP THROAT";
DIRECTOR GERARD DAMIANO, aka, et al.;
ITOM - CONSPIRACY; AR

D-730806075 AV

D-730806076 AV

D-730810001 AV

D-730827030 AV

Specimens received 7/30/73 from New York:

Qc16 Photocopy of

Qc17 Photocopy of

Qc18 Photocopy of

K1

b3
b6
b7C

Specimens received 8/6/73 from New York:

Qc19 Photocopy of

Qc20 Photocopy of

Specimens received 8/6/73 from Miami:

Q21

Q22

(over)

Page 1

CWB:alf af (10)

Specimen received 8/9/73 from Jacksonville:

Q23

[Redacted]

b3
b6
b7C

Specimens received 8/24/73 from Albany:

Q24

Q25

Qc26

Qc27

Qc28

Qc29

Qc30

[Redacted]

Result of examination:

A definite conclusion could not be reached as to whether

**described above as specimens Qc16, Qc18, Qc19, Qc20 and Qc28,
because some of the photocopies are not sufficiently clear and some**

[Redacted]

RECORDED
8/28/73
alf

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

NO LAB FILE

Re: PUBLIC SHOWING OF MOTION
PICTURE FILM ENTITLED,
"DEEP THROAT"; DIRECTOR
GERALD DAMIANO, aka; et al.;
ITOM - CONSPIRACY, AR
OO: New York

File # 145-5049 -16
Lab.# D-730827030 AV

Examination requested by: Albany (145-434) airtel 8/21/73

Examination requested: Document

Date received: 8/24/73

Result of Examination:

Examination by: 73

See D-730730062AV

b6
b7C

✓ Q24

Q25

Qc 26

Qc 27

Qc 28

b3
b6
b7C

Page 1

over

2 - New York (145-3400)

831-73

Qc29

Qc30

b3
b6
b7C

8/21/73

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI (145-5049)
(ATTN: FBI LABORATORY, DOCUMENT SECTION)

FROM: SAC, ALBANY (145-434) (RUC)

SUBJECT: PUBLIC SHOWING OF MOTION
PICTURE FILM ENTITLED,
"DEEP THROAT"; DIRECTOR
GERARD DAMIANO, aka;
ET AL
ITOM - CONSPIRACY, AR
(OO: NEW YORK)

Re New York airtels to Albany dated 7/23/73
and 7/25/73 and New York report of [REDACTED]
dated 7/18/73.

b6
b7C

Enclosed for the Bureau are [REDACTED]

[REDACTED]

On 8/2/73, SC [REDACTED] contacted

b3
b6
b7C

3 - Bureau (Enc. 7)
2 - New York (145-3400) (Enc. 5)
1 - Albany
JPS/lms
(5)

AL 143-434



b3
b6
b7C

It should be pointed out that Xerox copies are being sent to the Laboratory since [redacted] are on microfilm and the originals are not available.

REQUEST OF THE FBI LABORATORY
DOCUMENT SECTION

The Document Section is requested to examine handwriting and handprinting samples from the enclosures and compare them with other previously submitted documents from FBI file 145-5049.

It is also requested that the Document Section forward to Albany only the [redacted]



7-2

RECORDED
8-10-78
KLSU

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

NO LAB FILE

Re: PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT"; DIRECTOR,
GERARD DAMIANO, aka;
ET AL;
ITOM - CONSPIRACY; AR
OO: NEW YORK

File # 145-5042 *16*
Lab.# D-730610001 AV

Examination requested by: Jacksonville (145-352) airtel 8-6-78

Examination requested: Document

Date received: 8-9-78 *AWK*

Result of Examination:

Examination by: *73*

b6
b7C

see D-73070068 AV

✓

Q23

b3
b6
b7C

2 - New York (145-3400)

*Lab. Report
CUB
8-31-78*

F B I

Date: 8-6-73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (ATTN: FBI LABORATORY)

FROM: SAC, JACKSONVILLE (145-352) (P)

SUBJECT: PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT"; DIRECTOR,
GERARD DAMIANO, aka;
ET AL
ITOM - CONSPIRACY; AR
(OO: NY)

730810001

Re New York airtel to Bureau dated 7-25-73.

Enclosed for the FBI Laboratory is

original

b3
b6
b7c

On 8-2-73,

who made the enclosed document available, advised
SC [redacted] that it is imperative that the
enclosed document be returned to his files immediately
upon completion of examination.

On 8-2-73,

On 8-1-73,

- 3 - Bureau (Enc. - 1) (RM)
2 - New York (145-3400)
1 - Albany (Info)
1 - Miami (145-1000) (Info)
2 - Jacksonville

REH-tfr
(9)

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

COPY AND EXAMINING RETURNED IN LAB

Index Lab Files

ENCLOSURE

ATTACHED

Jackpot
club
8-31-73

SEVEN

11 AUG 9 1973

[redacted] however, due to a departmental policy would be unable to release original records from her files without a subpoena duces tecum.

[redacted]

b3
b6
b7C

The FBI Laboratory is requested to conduct handwriting comparison examinations as previously requested with the enclosed [redacted]
[redacted]

The FBI Laboratory is further requested to immediately return the [redacted] to the Jacksonville Division upon completion of laboratory examination in order that same can be returned to [redacted] It should be noted that a receipt was given [redacted] for this document at time it was obtained. b3

It is being left to the discretion of the office of origin as to whether or not a subpoena duces tecum should be obtained for [redacted]
[redacted]

ENCLOSURES (4) BUREAU

Bufile 145-5049
NYfile 145-3400

ENC

145-5049-16

EVIDENCE

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.**

Gerard Samirans

145-5849-14

EVIDENCE

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.**

Grand Amiano

145-5049-16

EVIDENCE

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.**

Gerard Ramiano

145-5049-16

EVIDENCE

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

Gerard Ramiano

145-5049-16

EVIDENCE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

Gerard Ramo

F B I

Date: 8/8/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (145-5049)

FROM: SAC, NEW YORK (145-3400) (P)

SUBJECT: PUBLIC SHOWING OF MOTION
PICTURE FILM ENTITLED "DEEP THROAT";
DIRECTOR, GERARD DAMIANO aka;
ET AL
ITOM - CONSPIRACY, AR
(OO:NY)

ReNYairtel to Bureau, 7/12/73, and report of SA [redacted]
[redacted] at NY, 7/18/73. *see 11*

For the information of all offices conducting investigation regarding "Deep Throat" and who may contemplate subpoenaing LINDA TRAYNOR, nee BOREMAN, aka Linda Lovelace [redacted]

[redacted] to testify before a Federal Grand Jury (FGJ), it is to be noted that on 8/8/73, LINDA [redacted] testified before a FGJ, EDNY, in captioned matter.

- ② - Bureau -
- 1 - Albany
 - 1 - Boston (145-602) (INFO)
 - 1 - Chicago (145-847) (INFO)
 - 1 - Denver (INFO)
 - 1 - Detroit (145-709) (INFO)
 - 1 - Houston (145-373) (INFO)
 - 1 - Kansas City (145-366) (INFO)
 - 1 - Jacksonville (145-352) (INFO)
 - 1 - Las Vegas (145-190) (INFO)
 - 1 - Los Angeles (145-1851) (INFO) (Copy Count Continued)

JJM:jfc
(23)

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

NY 145-3400

Those AUSAs desiring a copy of the grand jury testimony of LINDA and [REDACTED] may request same by contacting Special Attorney FRED BARLOW, Strike Force, EDNY, 35 Tillary Street, Room 327-A, Brooklyn, NY, 212-596-4319.

b3
b6
b7C

Copy Count Continued

- 1 - Louisville (145-286) (INFO)
- 2 - Miami (1 - 145-1000) (INFO)
(1 - 92-6204) (INFO)
- 1 - Milwaukee (145-349) (INFO)
- 1 - Newark (145-1267) (INFO)
- 1 - Norfolk (145-185) (INFO)
- 1 - Phoenix (145-372) (INFO)
- 1 - Tampa (145-379) (INFO)
- 1 - New York (92-2681)
- 1 - New York

F B I

Date:

7/27/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL

(Priority)

b6
b7CTO: DIRECTOR, FBI (145-5049)
(ATTN: FBI LAB)

FROM: SAC, NEW YORK (145-3400) (P)

SUBJECT: PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT"
DIRECTOR, GERARD DAMIANO, aka;
ET AL
ITOM - CONSPIRACY; AR
(OO:NY)ReNYairtel to Bu, 7/26/73. *see 13*

MM is requested to immediately obtain original

[redacted] and forward same to the FBI Lab
for handwriting comparison examinations as requested in
referenced communication.

- ③ - Bureau - 1 cc - [redacted]
 (1 - FBI Lab)
 1 - Albany (Info)
 1 - Jacksonville (145-352) (Info)
 2 - Miami (145-1000)
 1 - New York

REC-49

JJM:lcn
(9)

14 JUL 30 1973

SEVEN

SIX

NINE

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

MAILED

AUG 21 1973

NAME CHECK

1 - [REDACTED]

August 20, 1973

b6
b7c

REC-70 45-5077-19

EX-103

GERARD DAMIANO

Born: August 4, 1928
New York, New York

Reference is made to your communication dated August 7, 1973, your reference HEP:WSL:GS:lg 123-60, captioned "Name Check for Immunity Request," requesting information concerning the above-captioned individual.

Enclosed for your information is a copy of FBI Identification Record Number 4 434 838 for Gerard Damiano, which record may or may not be identifiable with the subject of your request.

The central files of this Bureau reveal that Gerard Damiano is the subject of a current investigation being conducted by the FBI in connection with interstate transportation of an obscene motion picture "Deep Throat." Damiano is the writer and producer of this film which stars Linda A. Grayson, also known as Linda Lovelace. [REDACTED]

Your attention is invited to New York report of Special Agent [REDACTED] dated July 18, 1973, captioned "Public Showing of Motion Picture Film Entitled, 'Deep Throat'; Director, Gerard Damiano; Distributors: Terry Lovene, President; Aquarius Releasing Inc., 230 East 42nd Street, New York, New York; Phillip Parisi, President; Louis Perrino, Vice President; Anthony Perrino, Secretary-Treasurer; Damiano Film Productions, Inc., 630-9th Avenue, New York, New York; Interstate Transportation of Obscene Matter - Conspiracy, Anti-Racketeering," copies of which have been furnished to the Organized Crime and Racketeering Section of the Criminal Division.

(145-5049)

The film "Deep Throat" is being displayed in several cities throughout the United States and other cases involving the [REDACTED] Damiano and the film are also being investigated. Your attention is invited to Chicago report of Special Agent [REDACTED] dated April 9, 1973, entitled [REDACTED]

- Interstate Transportation of Obscene Matter." (145-5103)

Original and 1 - AAG, Criminal Division, Attention: Mr. Gerald Shur, Room 2730, by 0-6 (D)

NOTE: SEE PAGE TWO.

INFO: [REDACTED]

Div 6

Assoc. Dir. _____
Asst. Dir.:
Admin. _____
Comp. Sys. _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Cong. Serv. _____
Corr. & Gm. _____
Research _____
Press Off. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM [REDACTED]

TELETYPE UNIT [REDACTED]

DTP:jml

(40)

Sent 8/21/73

gwb

Gerard Damiano

Your attention is also invited to Kansas City report of Special Agent [redacted] dated June 19, 1973, captioned "The Astro Theater, Union Railroad Depot, Kansas City, Missouri; Interstate Transportation of Obscene Matter." (145-4681)

Further, your attention is invited to Norfolk report of Special Agent [redacted] dated July 30, 1973, captioned "Wheeler Film Company, Boulevard Theater, Norfolk, Virginia, Film 'Deep Throat'; Interstate Transportation of Obscene Matter." (145-5141) b6 b7C

Finally, your attention is invited to Milwaukee report of Special Agent [redacted], dated March 16, 1973, captioned "Unknown Subject; Transportation of Film 'Deep Throat' from New York City to Milwaukee, Wisconsin, December 22-24, 1972; Interstate Transportation of Obscene Matter." (145-5139)

Copies of the four above-referenced reports have been furnished to the Organized Crime and Racketeering Section of the Criminal Division.

Our files contain no additional information concerning Gerard Damiano and on the basis of the data furnished, no information identifiable with him was located in NCIC.

Enclosure

NOTE: This matter was coordinated with Supervisor [redacted] [redacted] General Investigative Division, in view of the pending aspects of this case.

Federal Bureau of Investigation
Records Branch

19

☐ Name Searching Unit - Room 6527
☐ Service Unit - Room 6524 b6
☐ Forward to File Review : b7C
☐ Attention _____
☐ Return to ☐ or ☐ **REPORT**

Type of References Requested:

- ☐ Regular Request (Analytical Search)
☒ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

Type of Search Requested:

- ☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject Namur, Edward
 Birthdate & Place 8/4/28 N.Y.
 Address _____

Localities

R# 603 Date 8/8 Searcher Initials 535

Prod. 18 FILE NUMBER SERIAL

✓ 145-5049
✓ 145-5056
✓ 145-5139
✓ 145-5141-3
✓ 145-4681-1716

General. 7. 10. 1901. Inc.

Gerard (B. u.)

100-3867-38

PH 168-26-2 NS

General Mor

143-5103-1
Jesse (HHA)

John CHA
ST

AUG 9 1973

155

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Director
Federal Bureau of Investigation

DATE: AUG 7 1973

HEP:WSL:GS:lg
123-66

FROM : Henry E. Petersen
Assistant Attorney General
Criminal Division

SUBJECT: NAME CHECK FOR IMMUNITY REQUEST

The following individual is being considered for
immunity:

Gerard Damiano
30-20 75th Street
Jackson Heights, Queens, New York
DOB: 8-4-28
POB: New York, New York

Summary

NR re: W

Please advise us of any information in your files concerning
the above-named individual. If the individual has an arrest record,
we would appreciate your attaching to your reply a copy of that record.

RECORD ATTACHED WHICH
MAY BE IDENTICAL
WITH ABOVE SUBJECT.
FBI IDENTIFICATION DIVISION AUG. 13 1973

LHM to AAG, Crim Div, by 0-6
DTP: jml
8-20-73

EX-103

REC-70 43-5017-19
77
20 AUG 8 1973

NAME CHECK

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN LOS ANGELES	DATE 8/27/73	INVESTIGATIVE PERIOD 6/11/73 - 8/16/73
TITLE OF CASE PUBLIC SHOWING OF THE MOTION PICTURE FILM ENTITLED "DEEP THROAT" DIRECTOR GERARD DAMIANO, aka Jerry Gerard; ET AL		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY lmr
<div style="border: 1px solid black; width: 300px; height: 50px;"></div>		CHARACTER OF CASE ITOM	
		b6 b7C	

REFERENCE: Report of SA at Los Angeles,
dated 7/23/73.

-P-

LEADSLOS ANGELES

AT LOS ANGELES, CALIFORNIA: Will follow this case
with the United States Attorney's Office.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>[Signature]</i>						SPECIAL AGENT IN CHARGE	
COPIES MADE: ② - Bureau 1 - USA, Los Angeles (Attn: AUSA MICHAEL T. KENNEY) 2 - Los Angeles (145-1851)						DO NOT WRITE IN SPACES BELOW	
						145-5049-22 MCT-38	
						20 SEP 4 1973	
						REC 17 EX-112	
Dissemination Record of Attached Report						Notations	
Agency	1-AAG (Crim Div) John Murphy					DATA PROC	
Request Recd.	mm/eg						
Date Fwd.	9/13/73						
How Fwd.							
By	70 SEP 13 1973						

-A*-

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

b6
b7C

Copy to: 1 - USA, LOS ANGELES
(ATTN: AUSA MICHAEL T. KENNEY)

Report of: [REDACTED]
Date: 8/27/73

Office: Los Angeles, California

Field Office File #: 145-1851

Bureau File #:

Title: PUBLIC SHOWING OF THE
MOTION PICTURE FILM
ENTITLED "DEEP THROAT"
DIRECTOR GERARD DAMIANO;
ET AL

Character:

[REDACTED]

Synopsis:

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis:

[REDACTED]
[REDACTED] appeared before a FGJ
at Los Angeles on 7/30/73, [REDACTED]

b3
b6
b7C

[REDACTED] The Royal Theater,
Honolulu, Hawaii, received copy of the film entitled "Deep
Throat" on a lease basis from [REDACTED] in Los Angeles. The
Snohomish Theater, Snohomish, Washington, received film
entitled "Deep Throat" through Damiano Film Productions,
630 Ninth Avenue, New York City, in February 1973, by prepaid
airfreight. The film was returned by private automobile
to a film forwarding agency, Los Angeles, California, in
March 1973. [REDACTED]

DETAILS: AT BLAINE, WASHINGTON

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/20/73

b6
b7C

1.

On June 11, 1973, [redacted], mailing address [redacted] who resides at [redacted] phone [redacted] was interviewed at his residence.

Agent identified himself and advised the interview pertained to his exhibition of possible "hard core" movies at his theaters in Blaine. He was furnished a rights and waiver form which he read and acknowledged he understood and signed and thereafter furnished the following information:

He is [redacted] of the two theaters in Blaine, the AM-BC and the Sea-Vue. [redacted]

[redacted] is the present owner of these two theaters. She has telephone number [redacted]. There are [redacted] in the process of being incorporated, at which time he will be a stockholder also. This is being handled by an attorney by the name of [redacted]

[redacted]

[redacted]

At the AM-BC Theater:

[redacted] is [redacted] of this theater.

[redacted] is cashier with [redacted] occasionally filling in parttime and [redacted] projectionist.

Sea-Vue Theater:

[redacted] manages this himself, but [redacted] assists with [redacted] as projectionist since 1948, [redacted] cashier, with [redacted] and [redacted] working in the candy bar. All of these individuals are residents of Blaine, Washington, and all of them are over 21 years of age.

Interviewed on 6/11/73 at Blaine, Washington File # SE 145-66

by SA [redacted] /slb Date dictated 6/15/73

-2-

[REDACTED]

It was about a year ago that they turned to showing of hard-core type films and they were forced into this because of competition from a theater at Point Roberts, Washington. Inasmuch as Blaine is located on the Canadian border, much of their business is from Canadian customers. Point Roberts started exhibiting hard-core films and this cut into the rated ~~two~~ films that were being shown in Blaine, to the extent that [REDACTED] decided they would have to use this type of product or go out of business.

The first such movie they obtained was "Deep Throat" and this is still playing in its 47th week. He obtained this film before it received its notariety and became disputed also in the courts. He obtained it about 48 weeks ago from [REDACTED] of Damiano Films of Hollywood, California. As is the case with any such film, he viewed it first and then cut out about 10 minutes total of the film before showing it in Blaine. This was agreeable with the distributor, as long as he retained the film and will splice it back in before it is returned. He pointed out that about 40% of their clientele are females and he cut out scenes that he felt would be offensive to the female audience. Among the scenes he recalls cutting out is the one pertained to "things go better with Coke" and parts of two other scenes. They are still using the same original print obtained 48 weeks ago. This was shipped to them by Greyhound Bus from Los Angeles. He doubts that they still have any of the shipping documents, but he check with his mother to see if she has retained any of these shipping bills. Normally, they are not kept this long.

They first exhibited "Deep Throat" at the Sea-View Theater, then transferred it over to the AM-BC and then put it back at Sea-View, where it is playing now.

He deals only with the individual companies that supply him films, and these are all in California. He purchased this film without any strings attached or any tie-ins with it on a percentage basis which was the same as when he got it and is still the same. This is called a "35 sliding scale". A gross business of \$1,500 a week he pays the distributor 20%; for gross business \$1,500 to \$2,000 a week he pays 30% and gross business over \$2,000 a week he pays 35%. He pointed out that he has paid 35% practically the entire time it has been playing.

Business slacked off on it towards the end of 1972 and about that time Playboy Magazine came out with the spread on it, and this immediately changed the volume of business and he has been playing to full houses ever since. He has little or no personal contact with [redacted] although [redacted] has been up to visit the theater on one or two occasions since the film has shown there. He considers this just normal for the distributor to check out the size and operations of the theater to verify whether he is receiving his fair percentage of the gross.

His mother pays the rental fee on the film and normally she pays it by monthly checks and he believes this is the way it is handled, with her sending checks direct to Damiano Films in Los Angeles.

He states that only persons 21 years of age or over are allowed into the theater, and his employees and he check this closely, as they do not want any problems along this line. The only apparent objection that he has known from the community was a long time ago when some of the local ministers tried to object to this type of film being shown.

At the same time they bought "Deep Throat" they purchased a film to be shown as a co-feature called "Climax".

[redacted]

This was purchased at a flat \$100 per week cost. They ran this as a co-feature until about three months ago when they purchased a replacement entitled "The Interview". He edited out about 2 minutes of this short 20 minute film and they purchased this at a flat rate of \$50 a week. It is billed on the marquee "The Appointment" but this was an error.

All of his films are ordered direct from the distributors, although occasionally some are shipped direct from some other theater elsewhere. He has done no direct business in ordering films from anyone in Nevada or Oregon or other states than California.

[redacted] furnished the following descriptive data:

b6
b7c

Race: White
Sex: Male
Nationality: American
DOB: [redacted]
POB: [redacted]
Height: 6'1"
Weight: 145 pounds
Build: Slim
Hair: Brown
Eyes: Blue, wears glasses most of the time

Education:
Military record:

Arrest record:
Fingerprints:
Marital status:

None

Son:
Daughter:

age [redacted]

age [redacted]

LA 145-1851

AT NEW YORK CITY, NEW YORK

FEDERAL BUREAU OF INVESTIGATION

1.Date of transcription 6/29/73

At 9:32 am, this date, the writer served a subpoena duces tecum upon the person of [REDACTED]

b3
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[REDACTED] This subpoena directed [REDACTED]

[REDACTED] to produce in the Federal District Court, Central District of California, on July 2, 1973, at 10:00 am, all records and correspondence pertaining to [REDACTED]

[REDACTED]

Interviewed on 6/25/73 at New York, New York File # NY 145-3523

by SA [REDACTED]

len

-8-

Date dictated

6/26/73

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b7C

LA 145-1851

GERARD DAMIANO, when interviewed by Bureau Agent on July 11, 1973, identified LOU PERAINO and PHILLIP PARISI as the main distributors of "Deep Throat." Also, he identified TERRY LEVENE of Aquarius Releasing Incorporation, 229 West 42nd Street, New York, New York, as a subdistributor of the film "Deep Throat" handling the northeast section of the United States. He identified ARTY WEISBERG of Chicago as a subdistributor of the same film in the Midwest and J. FEINBERG of the Pussycat Theater chain in Los Angeles as a subdistributor of the film on the West Coast.

AT LOS ANGELES, CALIFORNIA

[redacted] appeared before a Federal Grand Jury at Los Angeles, on July 30, 1973 [redacted]

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AT HONOLULU, HAWAII

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 8/2/73

[redacted] b6
 Royal Development Company, Incorporated, 1370 South Beretania b7C
 Street, Honolulu, Hawaii, was interviewed in his offices.

[redacted] advised at the outset of the interview that investi-
 gation was being conducted regarding the interstate transporta-
 tion of obscene material. He was advised of the identity of
 the interviewing Agents through the display of their credentials
 and thereafter he voluntarily furnished the following information:

He advised that the Royal Theater located on Kuhio
 Avenue, Honolulu, is one of several theaters owned and operated
 by Royal Development Company, Incorporated. [redacted]
 [redacted]
 [redacted]

When asked where the film "Deep Throat" had been
 received from, which had been shown at the Queen Theater in
 Kaimuki, Hawaii, he advised that he could determine this through
 telephonically contacting Los Angeles.

[redacted] at that point in the interview, telephonically
 contacted an individual who he identified as [redacted] at [redacted]
 [redacted] telephone [redacted]

As a result of this telephone conversation [redacted] advised that
 the film "Deep Throat" was leased from [redacted] at telephone
 [redacted] stated that according to [redacted] is
 [redacted] for Damiano Films, and [redacted] is currently
 in New York City. He stated the film was a 35 millimeter film
 Copy #A.

[redacted] then provided two copies of a GTS Airfreight
 Air Waybill #6876. Both copies revealed the shipper to be
 Damiano Films, 1664 1/2 Cordova, Los Angeles, California, and the
 cosignee as Royal Theaters, 1370 South Beretania, Honolulu,
 Hawaii. The description is "one 35 millimeter film DT #A."
 One of the copies is the original invoice and the second copy
 is the cosignee's memo. The cosignee's memo bears the signature
 [redacted] as the signature of cosignee or his agent. [redacted]
 advised that [redacted] is an employee of Royal Development Company.

Interviewed on 8/1/73 at Honolulu, Hawaii

File # HK 145-135

SA [redacted]
 SA [redacted]

by [redacted]

SEARCHED	INDEXED
SERIALIZED	FILED
Date AUG 6 1973	
FBI - LOS ANGELES	

[] provided a xeroxed copy of both waybills.

[] talked extensively throughout the interview regarding the recent Supreme Court decision regarding pornography, and stated that after this decision, he took the film out of the Queen Theater in Kaimuki and "sent it to the country." He clarified this statement by stating that he began showing the film "Deep Throat" at one of his theaters in Wahiawa, Hawaii. He stated at the present time the film is not being shown at any of his theaters.

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b7C

[] pointed out that he has been in the movie theater business [] and that the Royal Development Company, Incorporated, owns and operates several theaters on the Island of Oahu and additional theaters on the Islands of Hawaii, Maui, and Kauai.

[] expressed a desire to assist the FBI in this investigation. He commented during the interview that he is confused as to the meaning of the recent Supreme Court decision. He further advised that he understood that his cooperation was completely voluntary, and that, in fact, a few weeks ago he might have refused to discuss this type of matter with the FBI and would have asked the interviewing Agents to submit their questions on a piece of paper for his consideration.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/13/73

[redacted] Royal Development Company,
Inc., 1370 South Beretania Street, Honolulu, Hawaii,
telephonically contacted Special Agent [redacted]

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[redacted] advised he currently has in his possession the shipping documents of which he had previously furnished xerox copies to the interviewing Agent. He stated these documents would be retained.

[redacted] further advised that the film "Deep Throat" is scheduled to be shown at two additional theaters in the State of Hawaii; at Hilo, Island of Hawaii, Hawaii, and at Lihue, Island of Kauai, Hawaii. He advised that at the completion of these showings this film would be returned to [redacted]

[redacted] advised that if the return shipping of the film would be in violation of federal law he would in fact burn it. He stated he intends to be fully cooperative in this matter; however, he does not desire to put himself in the position of violating any federal law.

[redacted] advised he would neither ship nor destroy the film prior to contacting the interviewing Agent. He anticipates the film being ready for shipment on or about September 1, 1973.

Interviewed on 8/13/73 at Honolulu, Hawaii File # HN 145-165

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by SA [redacted] Key [redacted] Date dictated 8/13/73

LA 145-1851

AT SAN FRANCISCO, CALIFORNIA

FEDERAL BUREAU OF INVESTIGATION

Date 8/2/73b3
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On August 2, 1973. SA [redacted]
contacted [redacted]

[redacted] and served on him a subpoena issued by the Central District of California, Los Angeles, California, dated July 10, 1973. The subpoena directed [redacted] to turn over to the agent all records pertaining to [redacted]

[redacted] directed the agent to [redacted]
[redacted] and [redacted]
for location of records. [redacted] also personally assisted. [redacted]

[redacted]

[redacted]

On 8/2/73 at San Francisco, California File # SF 145-1010

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by SA [redacted] kc -14- Date dictated 8/3/73

LA 145-1851

AT LOS ANGELES, CALIFORNIA

On August 16, 1973, a subpoena for [redacted]

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[redacted] was returned to Assistant United States Attorney (AUSA) ROBERT C. BONNER, Los Angeles, properly executed by the San Francisco Office where it was served on [redacted] on August 2, 1973.

On August 8, 1973, [redacted]

[redacted] advised he does not

He also advised that they have nothing in their files for [redacted]

AT NEW YORK CITY, NEW YORK

By communication dated August 8, 1973, the New York Office advised as follows:

On August 8, 1973, LINDA TRAYNOR, nee Boreman, and [redacted] testified before a Federal Grand Jury (FGJ), Eastern District of New York (EDNY), in captioned matter.

Those AUSAs desiring a copy of the grand jury testimony of LINDA [redacted] may request same by contacting Special Attorney FRED BARLOW, Strike Force, EDNY, 35 Tillary Street, Room 327-A, Brooklyn, New York, 212-596-4319.

AT LOS ANGELES, CALIFORNIA

On August 16, 1973, [redacted]

LA 145-1851

advised that [REDACTED]

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b7C

[REDACTED] The Los Angeles Office has been in contact with [REDACTED] photographed copies of their documents relating to [REDACTED]

The possibility exists that [REDACTED]

AT SEATTLE, WASHINGTON

Inquiry on August 13, 1973, reveals that the Snohomish Theater is located at 1003 First Street, Snohomish, and the [REDACTED] resides at [REDACTED]

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[REDACTED] was interviewed at his home on August 16, 1973. He admitted showing the film "Deep Throat" at his theater in Snohomish during February and March 1973. [REDACTED] said he saw an ad in a trade magazine concerning "Deep Throat" in October 1972, and at that time wrote to George Damiano Film Productions, 630 Ninth Avenue, New York City, New York. He subsequently received a phone call presumably from New York from a woman representing Damiano Films. She said "Deep Throat" would be sent by bus shipment some time in February 1973. Instead, [REDACTED] said the film arrived by prepaid film freight and he assumed it was from New York.

He said the film was returned by private automobile to a film forwarding agency in Los Angeles. It was picked up by someone in the film industry from Seattle whose name he

LA 145-1851

cannot recall. [] said returning the film by privately owned vehicle was on instructions from Damiano Productions in New York. He claimed the name [] was familiar to him but he could not say in what connection.

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[] had literature listing the following as officers of Damiano Film Productions in New York City:

LEW PERRY, President

PHIL PARISI, General Sales Manager

VINCE PARISI, Foreign Sales

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

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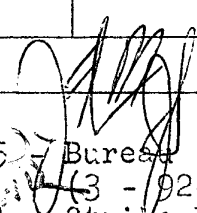
FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN NEW YORK	DATE SEP 7 1973	INVESTIGATIVE PERIOD 7/5 /73 - 9/5/73
TITLE OF CASE CHANGED PUBLIC SHOWING OF MOTION PICTURE FILM ENTITLED, "DEEP THROAT"; DIRECTOR, GERARD DAMIANO aka Jerry Gerard; (TITLE CONTINUED COVER PAGE B)		REPORT MADE BY [REDACTED]	TYPED BY laa
		CHARACTER OF CASE ITOM - CONSPIRACY; AR b6 b7C	

Title is being marked "Changed" to show additional
aka's [REDACTED]
for [REDACTED] additional aka's [REDACTED]
and [REDACTED] for [REDACTED] additional aka
for [REDACTED] and to add additional subject
[REDACTED]

REFERENCES

JKairtel to NY, 7/9/73 (IO).
NYairtel to Bureau, 7/12/73.
Report of SA [REDACTED] at NY, 7/18/73.
Boston airtel to NY, 7/17/73 (IO).
NYairtel to Newark, 7/21/73. (IO).
(REFERENCES CONT'D COVER PAGE C).

ACCOMPLISHMENTS CLAIMED				<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
APPROVED 					SPECIAL AGENT IN CHARGE	
COPIES MADE: 5 - Bureau (145-5049) 1 - Strike Force, EDNY (Attn: AUSA FRED BARLON) 1 - Strike Force, SDNY (Attn: AUSA JOEL FRIEDMAN) (COPIES CONT'D COVER PAGE B) 3 - New York (145-3400)					DO NOT WRITE IN SPACES BELOW 145-5049-23 MCT-68 7 SEP 12 1973 REC-38 ST-100 NINE DATA PROCESSING	
Dissemination Record of Attached Report					Notations	
Agency	1-AAG (from Dir) John Murphy					
Request Recd.	JKH/lg 1-T SAV					
Date Fwd.	9/20/73 36/					
How Fwd.						
By	158 SEP 21 1973					

COVER PAGE

NY 145-3400

TITLE CONTINUED

DISTRIBUTORS:



DAMIANO FILM PRODUCTIONS, INC.
630 NINTH AVENUE. NEW YORK. NEW YORK;

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COPIES CONTINUED

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- 3 - Jacksonville (145-352)
- 2 - Las Vegas (145-190)
- 3 - Los Angeles (145-1851)
- 2 - Louisville (145-286)
- 4 - Miami (145-1000)
(1 - 92-6204)
- 2 - Milwaukee (145-349)
- 2 - Newark (145-1267)
- 2 - Norfolk (145-185)
- 2 - Phoenix (145-372)
- 2 - Tampa (145-379)

NY 145-3400

REFERENCES (Con'td)

NYairtel to Newark, 7/21/73 (IO).
NYairtel to Boston, 7/22/73 (IO).
NYairtel to Albany, 7/23/73 (IO).
NYairtel to Boston, 7/25/73 (IO).
NYairtel to Chicago, 7/25/73 (IO).
NYairtel to Bureau, 7/26/73.
NKairtel to New York, 7/27/73 (IO).
NYairtel to Boston, 7/31/73 (IO).
MMairtels to NY, 8/1/73 (IO).
NYairtel to Bureau, 8/2/73.
NYairtel to Bureau, 8/8/73.

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ADMINISTRATIVE

An additional copy of this report is being designated for the Bureau under the 145 classification in the event the Bureau may desire to disseminate a copy of this report to the Department.

An additional copy of this report is being furnished to each designated office since these offices have prosecutions pending or prosecution is contemplated re the motion picture film entitled, "Deep Throat" and each receiving office may desire to furnish this additional copy to the interested AUSA for possible assistance in prosecution.

INFORMANTS

The confidential source described in the body of this report as a source who maintains records of business and mercantile establishments in the New York City area is

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NY 145-3400

LEADS

ALBANY

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AT ALBANY, NEW YORK. Will complete coverage of leads set forth in report of SA [redacted] at New York, dated 7/18/73; NYairtel to Albany, dated 7/25/73 and NYairtel to Bureau, dated 7/26/73.

BOSTON

AT BOSTON, MASSACHUSETTS. Will complete coverage of leads set forth in NYairtels to Boston, dated 7/22/73, 7/25/73 and 7/31/73.

CHICAGO

AT CHICAGO, ILLINOIS. Will complete coverage of leads set forth in NYairtel to Chicago, dated 7/25/73.

JACKSONVILLE

AT TALLAHASSEE, FLORIDA. Will complete coverage of leads set forth in NYairtel to Bureau, dated 7/26/73.

LOS ANGELES

AT LOS ANGELES, CALIFORNIA. Will complete coverage of leads set forth in NYairtel to Chicago, dated 7/25/73.

MIAMI

AT MIAMI, FLORIDA. Will complete coverage of leads set forth in NYairtel to Bureau, dated 7/26/73.

NEW YORK

AT BROOKLYN, NEW YORK. Will maintain contact with Special Attorney FRED BARLOW, Strike Force, EDNY, to insure early presentation of the EDNY phase of this investigation to a Federal Grand Jury, EDNY.

AT NEW YORK, NEW YORK. Will maintain close contact with Special Attorney JOEL FRIEDMAN, Strike Force, SDNY to insure early presentation of the SDNY phase of this investigation to a Federal Grand Jury, SDNY.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - Strike Force, EDNY (ATTN: AUSA FRED BARLOW)
1 - Strike Force, SDNY (ATTN: AUSA JOEL FRIEDMAN)

Report of: [REDACTED]

Office: New York, New York

Date: SEP 7 1973

Field Office File #: 145-3400

Bureau File #: 145-5049

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Title:

PUBLIC SHOWING OF MOTION PICTURE
FILM ENTITLED, "DEEP THROAT";
DIRECTOR, GERARD DAMIANO; DISTRIBUTORS:

Character:

Synopsis:

DAMIANO FILM PRODUCTIONS INCORPORATED,
630 NINTH AVENUE, NEW YORK, NEW YORK;

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER - CONSPIRACY
ANTI RACKETEERING

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Synopsis: [REDACTED] when interviewed by a Bureau Agent
on 5/3/73, admitted owning a percentage of "Deep Throat".
Department of Motor Vehicle records Tallahassee, Florida, show 1972
Florida license [REDACTED] issued to [REDACTED]
[REDACTED] Florida, for use on 1971 Pontiac. Documentation
re the interstated transportation of "Deep Throat", on 6/8/72,
from Bonded Film Storage, Co., Inc., Fort Lee, NJ, for account of
Aquarius Releasing, Inc., NY, NY, (Aquarius) to the World Theatre,
NY, NY, set out. On 8/23/73, Special Attorney, Strike Force, SDNY,
authorized prosecution. [REDACTED]

[REDACTED] Documentation showing importation of
"Deep Throat" into US from Munich, West Germany, on 2/20/73, consigned
to Aquarius set forth. Results of interviews of [REDACTED] LINDA
TRAYNOR aka and [REDACTED]
[REDACTED] set out. Arrest records re GERARD DAMIANO, [REDACTED]
[REDACTED] and [REDACTED] set forth.

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DETAILS:

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[REDACTED] AT MIAMI, FLORIDA, ON
MAY 3, 1973 re "DEEP THROAT" 3 - 4

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BY THE JACKSONVILLE OFFICE OF THE
FEDERAL BUREAU OF INVESTIGATION RE:
1972 FLORIDA LICENSE [REDACTED] ON A
1971 PONTIAC, UTILIZED BY [REDACTED]
[REDACTED] DURING HIS STAY AT VOYAGER
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35 MILLIMETER PRINT OF THE MOTION PICTURE
FILM ENTITLED, "DEEP THROAT", IMPORTED
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TRAYNOR, ALSO KNOWN AS LINDA
LOVELACE [REDACTED]

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[REDACTED]

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RESULTS OF INVESTIGATION CONDUCTED
BY THE NEWARK OFFICE OF THE FEDERAL
BUREAU OF INVESTIGATION RE: PICK-UP
AND SHIPPING SHEETS FOR AQUARIUS
RELEASING INCORPORATED ACCOUNT AT
BONDED FILM STORAGE COMPANY, INCORPORATED
FORT LEE, NEW JERSEY, RE: "DEEP THROAT".....

80 - 82

INFORMATION RE: [REDACTED]

b3

[REDACTED]

83 - 90

ARREST RECORD RE: [REDACTED] ON FILE
WITH THE BUREAU OF CRIMINAL IDENTIFICATION
NEW YORK CITY POLICE DEPARTMENT AS OF
JULY 16, 1973.....

91 - 92

ARREST RECORD RE: GERARD DAMIANO, [REDACTED]
[REDACTED] AND [REDACTED] ON FILE WITH THE
IDENTIFICATION DIVISION, FEDERAL BUREAU OF
INVESTIGATION, WASHINGTON, D.C. AS OF
AUGUST 6, 1973.....

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93 - 103

NY 145-3400

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RESULTS OF INTERVIEW OF [REDACTED]
[REDACTED] AT MIAMI, FLORIDA, ON
MAY 3, 1973 re "DEEP THROAT"

FEDERAL BUREAU OF INVESTIGATION

5/7/73

Date of transcription

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[redacted] Regal Fashions Incorporated,
247 N.W. 25 Street, Miami, Florida furnished the
following information :

He has moved to Florida more or less on a permanent basis to devote more attention to his wholesale dress business, however, he intended to maintain a residence in Islip, New York in order to conduct business in that area. He conceded that Miami should be considered his residence at the present time.

Although he primarily is engaged in the wholesale dress manufacturing business, he admitted that he owned a percentage of the movie, "Deep Throat" which he claimed was not obscene because of what he interpreted as decisions of the United States Supreme Court. He would not say what his percentage of the movie was, but stated that if he could have the movie exhibited for two years without legal interruptions, he would be a millionaire.

He said he had no information relating to the COLOMBO organization in New York City since he considered JOE COLOMBO a "vegetable", and said that BUSTER ALOI, now in Miami, was too sick an old man to count; that [redacted] had no status because he had too many troubles with the law.

He said he did not know who headed the COLOMBO family at the present time, and added that since he was legitimate he would have no reason to know.

He said he did not know the present whereabouts of [redacted] or [redacted]

Interviewed on 5/3/73 at MIAMI, FLORIDA

by SA [redacted] EJD/ejd

File # MM 92-2604
FILED
Date dictated 5/7/73
FBI - NEW YORK
17X5
- 371

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NY 145-3400

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RESULTS OF INVESTIGATION CONDUCTED
BY THE JACKSONVILLE OFFICE OF THE
FEDERAL BUREAU OF INVESTIGATION RE:
1972 FLORIDA LICENSE [REDACTED] ON A
1971 PONTIAC, UTILIZED BY [REDACTED]
[REDACTED] DURING HIS STAY AT VOYAGER
MOTEL, NORTH MIAMI, FLORIDA, IN
JANUARY, 1972

JJM:rcp

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NY 145-3400

By communication dated July 9, 1973, the Jacksonville Office of the Federal Bureau of Investigation advised as follows:

On July 5, 1973, [redacted] Title Clerk, Department of Motor Vehicles (DMV), Tallahassee, Florida, advised Special Clerk [redacted] that 1972 Florida license [redacted] was issued to [redacted] [redacted] Miami, Florida, for use on a 1971 Pontiac, vehicle identification number (VIN) [redacted]. She advised that 1972 Florida license plates expired August 20, 1972.

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[redacted] made available a certified copy of DMV registration regarding the above mentioned Florida license.

This certified copy is being retained as a permanent exhibit in this case file.

NY 145-3400

IDENTITIES OF SUBSCRIBERS TO TOLL
CALL NUMBERS CHARGED TO [REDACTED]
[REDACTED] DURING HIS STAY AT VOYAGER MOTEL,
NORTH MIAMI, FLORIDA, IN JANUARY, 1972

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/26/73

[redacted] New
 York Telephone Company, 100 Church Street, New York, New
 York, identified for SA [redacted] the subscriber
 to each of the below mentioned telephone numbers as follows:

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b7C

Telephone Number

Subscriber

212-633-2250

Dove Distributors, Incorporated
4322 8th Avenue,
Brooklyn, New York

[REDACTED]
 Brooklyn, New York

212-864-9661

Manma Mia Pizzeria
2714 Broadway
New York, New York

212-873-3000

Emerson Hotel
166 West 75th Street
New York, New York

212-864-9353

Coin Operated Phone at
Bax Restaurant and Bar
170 West 95th Street
New York, New York
(disconnected March, 1972)

New York, New York

The above information can be made available for court purposes only upon the issuance of a subpoena duces tecum directed to [redacted] at the above address.

Interviewed on 7/9/73 at New York, New York File # NY 145-3400

by SA [redacted] len Date dictated 7/13/73

NY 145-3400

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BACKGROUND DATE RE:
[REDACTED] OBTAINED FROM RECORDS
OF THE CREDIT BUREAU OF GREATER NEW YORK

JJM:lcn

1.

NY 145-3400

On July 9, 1973, [redacted] Clerk,
Credit Bureau of Greater New York, advised SC [redacted]
[redacted] from records, that [redacted] as of
January, 1969, was employed as [redacted]
[redacted] Brooklyn,
New York, and resided at [redacted] Brooklyn,
New York. His wife's name was listed as [redacted] He
formerly resided at [redacted] Brooklyn,
New York. His latest residence was shown as [redacted]
[redacted] Brooklyn, New York.

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NY 145-3400

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BACKGROUND DATA RE:

[REDACTED] OBTAINED FROM RECORDS
OF THE IMMIGRATION AND NATURALIZATION
SERVICE, NEW YORK, NEW YORK

FEDERAL BUREAU OF INVESTIGATION

Date 8/9/73

[redacted] Records, Administration and Information Section, Immigration and Naturalization Service, 20 West Broadway, New York, New York made available a photographic reproduction of the file on [redacted] This file contains the following pertinent information:

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[redacted] was born [redacted] on [redacted] to [redacted] and [redacted] formerly [redacted] in [redacted] The registration district was shown as [redacted] On June 25, 1954, he had his name legally changed from [redacted] to [redacted]
[redacted]

On May 4, 1961 in the United States District Court, Southern District of New York (SDNY) [redacted] born [redacted] in [redacted] and resided at [redacted] New York, New York filed a Declaration of Intention to become a citizen of the United States. On his Petition for Naturalization April 19, 1963 [redacted] requested he be admitted as a citizen of the United States of America and his name be changed to [redacted]
[redacted]

On December 23, 1963 [redacted] born [redacted] in [redacted] was issued Certificate of Naturalization number [redacted] in the Federal District Court, SDNY.

A copy of [redacted] file is being retained as a permanent exhibit in this case.

On 8/6/73 at New York, New York File # NY 145-3400
by SC [redacted] ms Date dictated 8/7/73

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NY 145-3400

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SERVICE OF SUBPOENA DUCES TECUM

ON

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/18/73

At 10:28 a.m., [redacted]
[redacted] was
served by the writer with a subpoena duces tecum in the
office of [redacted]
[redacted] New York, New York. This subpoena directed
[redacted] to appear in the United States District Court for
the Eastern District of New York at 35 Tillary Street,
Room 327-A, Brooklyn, New York, on July 18, 1973, at 10:00
a.m. to testify before the Grand Jury and bring all records.

[redacted]

[redacted]

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After reading the copy of above subpoena, [redacted]
[redacted]

Interviewed on 7/16/73 at New York, New York File # NY 145-3400

by SA [redacted]:rcp Date dictated 7/18/73

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/18/73

At 11:10 a.m. [redacted]

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[redacted] New York,
New York, was served by the writer with a subpoena duces
tecum in his office at the latter address. This subpoena
directed [redacted] to appear in the United States District Court
for the Eastern District of New York at 35 Tillary Street,
Room 327-A, Brooklyn, New York, on July 25, 1973, at 10:00
a.m. to testify before the Grand Jury and bring with him
all records and documents [redacted]
[redacted]
[redacted]

Interviewed on 7/17/73 at New York, New York File # NY145-3400

by SA [redacted] rcp Date dictated 7/18/73

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b7C

NY 145-3400

INVESTIGATION CONDUCTED BY THE BOSTON
OFFICE OF THE FEDERAL BUREAU OF
INVESTIGATION RE: THE SEIZURE OF ONE
35 MILLIMETER PRINT OF THE MOTION PICTURE
FILM ENTITLED, "DEEP THROAT", IMPORTED
FROM TORONTO, CANADA AND SEIZED BY UNITED
STATES CUSTOMS AT BOSTON, MASSACHUSETTS,
ON MARCH 16, 1973

JJM:kxs

1.

NY 145-3400

By communication dated July 17, 1973, the Boston Office of the Federal Bureau of Investigation (FBI) advised as follows:

On July 17, 1973, Assistant United States Attorney (AUSA) FREDERICK KELLOGG advised that no certificate of ownership relative to the film, "Deep Throat", was filed in connection with the court hearing in Boston, Massachusetts, but it was stipulated to by Damiano Film Producers, Incorporated's Attorney [redacted] of Boston, Massachusetts, as to their ownership of the film.

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Mr. KELLOGG advised that yesterday, July 16, 1973, the Circuit Court of Appeals ordered this case back to the District Court. Mr. KELLOGG advised that the District Court is going to issue an order for the destruction of the film, "Deep Throat".

Mr. KELLOGG advised that should the AUSA in the Eastern District of New York (EDNY) desire to prevent the film from being destroyed, he should contact Attorney JOHN L. MURPHY, Chief of the Government Regulations Section, or Attorney DONALD FEIGE of the same section, United States Department of Justice, Washington, D. C., to order the filing of a motion to preserve the film because the AUSA for the EDNY desires to have the film for later prosecution in that district.

On July 20, 1973, the above facts were brought to the attention of Special Attorney FRED BARLOW, Strike Force, EDNY, who advised that he would immediately contact either JOHN L. MURPHY or DONALD FEIGE at the United States Department of Justice, Washington, D. C. regarding this matter.

NY 145-3400

INVESTIGATION CONDUCTED BY THE
NEW YORK OFFICE OF THE FEDERAL
BUREAU OF INVESTIGATION RE: THE
INTERSTATE TRANSPORTATION OF:
ONE 35 MILLIMETER PRINT OF THE
MOTION PICTURE FILM ENTITLED,
"DEEP THROAT", FROM BONDED FILM
STORAGE COMPANY INCORPORATED, FORT
LEE, NEW JERSEY TO THE WORLD THEATRE,
153-155 WEST 49TH STREET, NEW YORK,
NEW YORK, ON JUNE 8, 1972

FEDERAL BUREAU OF INVESTIGATION

Date 7/25/73

[redacted] General Delivery Service Company, Incorporated, 359 West 45th Street, New York, New York, was exhibited a copy of "Pick-Up-Sheet" dated 6/8/72, and signed "[redacted]".

After viewing this sheet, [redacted] stated that his driver, [redacted] on June 8, 1972, picked up one case containing the motion picture film entitled, "Deep Throat" at Bonded Film Storage Company, Incorporated, 550 Main Street, Fort Lee, New Jersey, (Bonded) for the Aquarius Releasing Incorporated (Aquarius) account and transported the film to this office. [redacted] said this film, according to this "Pick-Up-Sheet", was destined for the World Theatre on West 49th Street, New York, New York. [redacted] stated that he will have to locate his delivery receipt to determine which one of his drivers transported the film from the office of General Delivery Service Company, Incorporated, to the World Theatre.

[redacted] advised that the Pick-Up-Sheets are made out by Bonded employees. Furthermore, he advised that Aquarius, in this case, would have been billed for the transportation of the film in question from Bonded to the World Theatre. He said that Aquarius is billed once a week by General Delivery Service Company, Incorporated, for all deliveries.

[redacted] added that [redacted] mentioned previously, [redacted] resides at [redacted] New York, New York.

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On 7/19/73 at New York, New York File # NY 145-3400
by SA [redacted] lxs Date dictated 7/23/73

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PICK - UP SHEET

TRUCKER:

DATE:

6/8/72

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[illegible]

SIGNATURE

FEDERAL BUREAU OF INVESTIGATION

Date 7/25/73

[redacted] General Delivery Service Company, Incorporated, 359 West 45th Street, New York, New York, made available original General Delivery Service delivery receipt dated June 8, 1972, which shows that on the latter date one print on one case of the motion picture film entitled "Deep Throat" was transported from Bonded to the World Theatre. The signature of the person receipting for the picture appears on the bottom of the delivery receipt. The initials "[redacted]" appear in the upper right hand corner of this receipt.

[redacted] upon examining this delivery receipt, advised that the initials "[redacted]" appearing in the upper right hand corner of this receipt are the initials of his driver, [redacted] who made the delivery of the motion picture film entitled "Deep Throat" to the World Theatre on June 8, 1972. [redacted] said that he was unable to make out the signature of the recipient appearing on the bottom of this delivery receipt.

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The original copy of General Delivery Service Company, Incorporated, delivery receipt, mentioned above, is being retained as a permanent exhibit in this case file.

On 7/20/73 at New York, New York File # NY 145-3400

by SA [redacted] :kxs Date dictated 7/23/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Phone: Circle 6-4696-7

6/8/72

Phone: Circle 5-9811

GENERAL DELIVERY SERVICE

359 WEST 45th ST., NEW YORK, N. Y. 10036

Time Left

To World Trade

Time Arrived

for Bounded

Weather

1 Pt on 1

Traffic

Good Street

Received By

SUBJECT TO CONDITIONS ON REVERSE SIDE

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0381
7/2/72

FEDERAL BUREAU OF INVESTIGATION

Date 7/25/73

[] was contacted at Mature Pictures, Incorporated, Room 410, 630 Ninth Avenue, New York, New York. He was immediately advised of the identity of the interviewing Agent and was furnished a copy of "Interrogation; Advice of Rights" form, which he read in the presence of the writer. He stated that he understood the contents of said form and signed same.

[] advised that he is [] of Mature Enterprises, Incorporated, which owns the World Theatre at 153-155 West 49th Street, New York, New York, and Mature Pictures, Incorporated, both of which Corporations are located in Room 410, 630 Ninth Avenue, New York, New York.

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[] volunteered that Mature Enterprises, Incorporated, was found guilty on March 1, 1973, of violating the obscenity laws of New York State in connection with the public showing of the motion picture entitled "Deep Throat", at the World Theatre. The corporation was fined \$100,000. The latter matter, according to [] is on appeal.

[] declined to make any statement relative to his possible knowledge or possible participation in the interstate transportation of obscene materials.

The following description of [] was obtained through interview and observation:

Name	[]
Sex	Male
Race	White
Date of Birth	[]
Place of Birth	[]

On 7/20/73 at New York, New York File # NY 145-3400

by SA [] :kxs Date dictated 7/23/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

NY 145-3400

Height
Weight
Hair
Residence

Employment

5 Feet 4 Inches
120 Pounds
Light Brown

[REDACTED]
New York, New York

[REDACTED]
of Mature Enterprises,
Incorporated, and Mature
Pictures, Incorporated,
Room 410, 630 Ninth Avenue,
New York, New York

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FEDERAL BUREAU OF INVESTIGATION

1.Date of transcription 7/20/73

A confidential source who maintains records of business and mercantile establishments in the New York City area, made available the following information concerning Mature Pictures Enterprises, Incorporated (World Theater);

A report dated September 15, 1972, shows that Mature Pictures Enterprises, Incorporated is located at 630 Ninth Avenue, New York, New York, and has business telephone number (212) 541-7860. ROBERT SUMNER, President, is listed as the sole officer and director of the firm. The firm was reportedly chartered under the laws of New York State in 1972. [REDACTED]

[REDACTED] of Mature Pictures Corporation, an affiliate of Mature Pictures Enterprises, Incorporated. The affiliate, Mature Pictures Corporation, was reportedly chartered under the laws of New York State in 1971 and is located at 630 Ninth Avenue, New York, New York. The firm is active in the distribution and exhibition of motion picture films.

The administrative operations of Mature Pictures Enterprises, Incorporated are conducted at 630 Ninth Avenue, New York, New York, where one person is employed. The sales operations are conducted at the World Theater at 153 West 49th Street, where movies are exhibited and displayed. The Theater at the latter address employs ten individuals, including Mr. SUMNER.

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Interviewed on 7/20/73 at New York, New York File # NY 145-3400
by SA [REDACTED] /ljk Date dictated 7/20/73

FEDERAL BUREAU OF INVESTIGATION

Date 7/25/73

[redacted] World Theatre, 153-155 West 49th Street, New York, New York, (World), advised that he has been employed at the World for the past four days. He further advised that the theatre is owned by ROBERT SUMNER also known as "Bob".

[redacted] stated that he does not know who the manager of the World was when the motion picture film entitled "Deep Throat" played at the theatre. [redacted] added that the cashier, presently on duty at the theatre, was here during the showing of the motion picture film entitled "Deep Throat" and she may be able to furnish information concerning the identity of the theatre manager at that time.

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On 7/20/73 at New York, New York File # NY 145-3400
by SA [redacted] :kxs Date dictated 7/23/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date 7/25/73

The writer, after identifying himself to the cashier at the World Theatre, 153-155 West 49th Street, New York, New York, as a Special Agent of the Federal Bureau of Investigation (FBI), inquired as to her name. The cashier refused to identify herself. At this point she was exhibited General Delivery Service delivery receipt dated June 8, 1972, and asked if she recognized the signature appearing on the bottom of the receipt. When she picked up the receipt she exclaimed "That's my signature". At this point she identified herself as [redacted]. She said that during her employment at this theatre she has receipted for many packages, and on most occasions would not be aware of the contents of these packages. At this point, [redacted] stated that she did not care to answer any further questions and the interview was terminated.

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b7C

On 7/20/73 at New York, New York File # NY 145-3400by SA [redacted] lxs Date dictated 7/23/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/1/73

[redacted] General Delivery Service Company, Incorporated, 359 West 45th Street, New York, New York, advised that the latter firm is a common carrier which operates under Interstate Commerce Commission (ICC) Regulations and has ICC Permit Number MC 3890, dated February 18, 1941.

[redacted] stated that he has been in the film delivery business in the New York City area [redacted] years. He said that it is common knowledge among movie theatre owners and managers in the New York City area that all commercial motion picture films are stored at Bonded Film Storage Company, Incorporated, Fort Lee, New Jersey and if the origin of a shipment is shown on his firm's delivery receipt as Bonded, it can only be Bonded Film Storage Company, Incorporated, Fort Lee, New Jersey.

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Interviewed on 7/26/73 at New York, New York File # NY 145-3400

by SA [redacted] rcp Date dictated 7/27/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/1/73

[redacted] Driver, General Delivery Service, 359 West 45th Street, New York, New York, advised that he has been employed as a driver by the latter firm for approximately the past [redacted] years and resides at [redacted] Brooklyn, New York, residence telephone number [redacted]

[redacted] was exhibited General Delivery Service delivery receipt dated June 8, 1972 showing the transportation of the motion picture film entitled, "Deep Throat" from Bonded to the World Theatre.

After viewing this receipt, [redacted] stated that the receipt was in his handwriting with the exception of the signature at the bottom of the receipt. Also, he stated that his initials, "[redacted]" appear in the upper right hand corner of this receipt. [redacted] stated that he was the driver who transported the film, "Deep Throat" from the office of General Delivery Service, 359 West 45th Street, New York, New York to the World Theatre, New York, New York on June 8, 1972.

[redacted] said that he does not recall who at the World Theatre signed for the film, "Deep Throat" on June 8, 1972.

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Interviewed on 7/26/73 at New York, New York File # NY 145-3400
by SA [redacted] rcp Date dictated 7/27/73

FEDERAL BUREAU OF INVESTIGATION

Date 8/9/73

Assistant District Attorney (ADA), WILLIAM PURCELL, New York County District Attorney's Office, New York, New York made available a copy of Judge JOEL TYLER's order dated March 1, 1973 directing Mature Enterprises Incorporated to surrender immediately to the Property Clerk of the New York City Police Department (NYCPD) or his agents, the print of the motion picture film, "Deep Throat" designated, people's exhibit number five in the recent trial, in accordance with the Administrative Code of the City of New York, Volume two, Chapter 18, Title A, Section 435-4.0.

ADA PURCELL advised that pursuant to the above order, the motion picture film, "Deep Throat", which had played at the World Theatre on West 49th Street, New York, New York was seized by Patrolman [redacted] Public Morals Squad, NYCPD on March 1, 1973.

A copy of Judge TYLER's order is being retained as a permanent exhibit in this case.

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On 8/6/73 at New York, New York File # NY 145-3400
by SA [redacted] ms Date dictated 8/7/73

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FEDERAL BUREAU OF INVESTIGATION

Date 8/10/73

Patrolman [redacted] New York City Police Department (NYCPD), Shield number [redacted] assigned to the Public Morals Administration, 137 Centre Street, New York, New York advised that he, pursuant to a court order issued on March 1, 1973 by Judge JOEL TYLER of the New York City Criminal Court, seized on the latter date the print of the motion picture film entitled, "Deep Throat" which at that time was being exhibited at the World Theatre, 153-155 West 49th Street, New York, New York. He recalls that when he arrived at the theatre the print of "Deep Throat" was already packed in its metal container and he, Patrolman [redacted] gave a receipt to the theatre manager for the film. Patrolman [redacted] stated that he does not recall the name of the theatre manager. He added that he then marked the picture for identification purposes and placed same in the Property Clerk's office, NYCPD on March 1, 1973 for safe keeping.

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On 8/6/73 at New York, New York File # NY 145-3400by SA [redacted] ns Date dictated 8/7/73

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/9/73

[redacted]
[redacted] New York, New York, residence telephone number [redacted]
[redacted] was contacted at the latter address. [redacted]
advised as follows:

He had worked as a driver for General Delivery Service Company, Incorporated, 359 West 45th Street, New York, New York, for approximately [redacted] years [redacted]
[redacted]
[redacted]

[redacted] was exhibited a copy of Pick-Up-Sheet dated June 8, 1972, reflecting a pickup of one case of a motion picture film entitled, "Deep Throat" for the World Theatre on 49th Street, New York City. After examining this Pick-Up-Sheet, [redacted] stated that his signature appears in the lower right hand corner of this sheet and that he, [redacted] made the check marks appearing in the left hand column alongside each entry.

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Relative to the notation "Deep Throat" appearing on this Pick-Up-Sheet, [redacted] stated that the entry indicates that he, [redacted], on June 8, 1972, as an employee of General Delivery Service Company, Incorporated, transported one case containing the motion picture film entitled, "Deep Throat" from Bonded Film Storage Company, Incorporated, 550 Main Street, Fort Lee, New Jersey, to the office of General Delivery Service Company, Incorporated at 359 West 45th Street, New York, New York. The film was then delivered by another General Delivery Service Company Incorporated employee to its final destination, the World Theatre on West 49th Street, New York, New York.

[redacted] added that at no time was he ever aware of the content of any film he transported from Bonded Film Storage Company, Incorporated, Fort Lee, New Jersey, to the General Delivery Service Company, Incorporated Office on West 45th Street, New York, New York.

Interviewed on 8/9/73 at New York, New York File # NY 145-3400
by SA [redacted] laa Date dictated 8/9/73

NY 145-3400

PROSECUTIVE OPINION OF SPECIAL
ATTORNEY JOEL FRIEDMAN, STRIKE
FORCE, SOUTHERN DISTRICT OF NEW YORK

JJM:rcp

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NY 145-3400

On July 23, 1973, the facts in this case relative to the interstate transportation of the motion picture film entitled, "Deep Throat" from Bonded Film Storage Company, Incorporated, Fort Lee, New Jersey, to the World Theatre, New York; New York, on June 8, 1972, via General Delivery Service, New York, New York, was discussed by Special Agent (SA) [redacted] with Special Attorney JOEL FRIEDMAN, Strike Force, Southern District of New York (SDNY). Attorney FRIEDMAN advised that he would definitely entertain prosecution in this matter under the Interstate Transportation of Obscene Matter Statute if investigation can substantiate the interstate transportation and knowledge on the part of the subjects of the content of the film, "Deep Throat" at the time of the interstate transportation.

NY 145-3400

INFORMATION RE: SCREENINGS OF MOTION
PICTURE FILM ENTITLED, "DEEP THROAT",
AT PREVIEW THEATRE, NEW YORK, NEW YORK,
DURING MARCH, APRIL AND MAY, 1972

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/18/73

Pursuant to a subpoena duces tecum served on the person of [REDACTED]
[REDACTED]
by the writer, [REDACTED] through [REDACTED]
[REDACTED], furnished the following information:

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[REDACTED]

[REDACTED]

[REDACTED] is attached hereto.

A copy of

[REDACTED]

[REDACTED]

[REDACTED] A copy of this
[REDACTED] is attached hereto.

[illegible]

Interviewed on 7/17/73 at New York, New York File # NY 145-3400

by SA [redacted] rep Date dictated 7/18/73

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b7C

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NY 145-3400

[REDACTED]

[REDACTED] A copy of this [REDACTED]

is attached hereto.

[REDACTED]

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b7C

[REDACTED] A copy of this [REDACTED] is attached hereto.

JJM:rcp

1.

NY 145-3400

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b7C

On July 17, 1973, [redacted]
Cine Metric, Incorporated, 35 West 45th Street, New York,
New York, advised that his records failed to show that this
firm screened the motion picture film entitled, "Deep Throat."

On July 17, 1973, [redacted]
Gotham Development Corporation (Rizzoli Screening Room),
712 5th Avenue, New York, New York, advised that this firm
has never screened the motion picture film entitled, "Deep
Throat."

On July 17, 1973, [redacted]
Cinema 405 Screening, 405 Park Avenue, New York, New York,
advised that this firm has never screened the motion picture
film entitled, "Deep Throat."

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/1/73

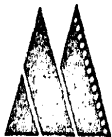
By letter postmarked July 20, 1973 at New York,
New York, [redacted]
Movielab Incorporated, 619 West 54th Street, New York, New
York (Movielab) made available the attached xerox copy of
Projection Slip Number T-27239, dated June 7, 1973 which
shows the following:

One print, consisting of four .35 millimeter reels
of the motion picture film entitled, "Deep Throat" were
screened at Movielab on June 7, 1973, for "DAMIANO," 630 9th
Avenue, New York City, under Screening Order Number 37411.
The signature of the person representing "DAMIANO" and/or
requesting the screening is illegible.

b6
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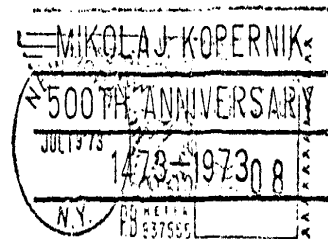
Interviewed on 7/23/73 at New York, New York File # NY 145-3400

by SA [redacted] :rcp Date dictated 7/27/73



MovielaB, Inc.

619 West 54th Street
New York, N. Y. 10019



Federal Bureau of Investigation
201 East 69 Street
New York, N. Y. 10021

10th Floor

b6
b7C

4-1

504K 2M 3/73

"Showplace of the East"

MOVIELAB BUILDING
619 WEST 54th STREET
NEW YORK, N.Y. 10019



Telephone
Judson 6-0360

T - 27239

DATE 6-7- 19 73

TO

Dameans

630 - 9th Ave,

NYC,

ACCT.

CHECKED BY

PROJECTIONIST

SHIP
VIA

SCREENING ORDER NO.

SUBJECT

NO. REELS

Deep Throat

4 reels 35 Comp.

1 Carboard Box

2 SUPPLY COPY

COMPANY NAME

RECEIVED BY

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/1/73

[redacted]
Movielab Incorporated, 619 West 54th Street, New York, New York (Movielab), made available one xerox copy each of Movielab Screening Order Number 37411, dated June 7, 1973, and Movielab Invoice Number 21247, dated June 7, 1973, which are attached hereto. The latter documents show that on June 7, 1973, one .35 millimeter print of the motion picture film entitled, "Deep Throat" was screened at Movielab from 1:00 p.m. to 2:00 p.m. for customer, DAMEANO, 630 9th Avenue, New York City. The screening was ordered by one [redacted] not further identified. The signature of the customer on the attached Screening Order is illegible. The customer was charged \$30.00 for this screening and there is a handwritten notation on Screening Order Number 37411 that the latter amount was paid by check, not further identified.

b6
b7CInterviewed on 7/26/73 at New York, New York File # NY 145-3400by SA [redacted] :rcp Date dictated 7/27/73

9000

"Showplace of the East"

Area Code 212

Judson 6-0360

MOVIELAB BUILDING
619 WEST 54th STREET
New York, N. Y., 10019



INV. No.

21247

SCREENING
TICKET

APPOINTMENT:

No. 37411

TIME 1:00 - 2:00 PM

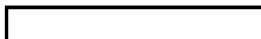
HOURS 1

DATE June 7, 1973

CHARGE TO Dameano

ADDRESS 630 Ninth Ave NYC

ORDERED BY



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SCREEN FOR

SUBJECT DEEP TROAT

TYPE OF PROJ. 1-35mm Comp print Pic. - 1.85 REELS

FILM COMING FROM Cust

FILM TO BE RETURNED TO Cust

SPECIAL INSTRUCTIONS

Rec, Check # 30.00 CB

TYPE	CODE	HR.	CODE	1/4 HR.	CODE	O/T	TYPE	CODE	HR.	CODE	1/4 HR.	CODE	O/T
REGULAR	10	15		20			6 MACH. INT.	25	30		32		
2 MACH. INT.	11	16		21			S BY S-COMP.	26	31		33		
3 MACH. INT.	12	17		22			S BY S-3-4 M	27	34		35		
4 MACH. INT.	13	18		23			SAT., SUN., HOL.	28					
5 MACH. INT.	14	19		24			STANDBY	29					

TIME STARTED

1 PM

TIME FINISHED

2 PM

C. O. D.

RECEIPT NO.

122239

CUSTOMER'S SIGNATURE

[Signature]

CREDIT O.K. PROJ. INITIALS

CB

DEL 101-372-5M

OFFICE COPY

"Showplace of the East"

21247

ACCOUNTING COPY

MOVIELAB BUILDING
619 WEST 54th STREET
NEW YORK, N.Y. 10019

Phone JUdson 6-0360



CUTTING & EDITING ROOMS
TAPE & FILM STORAGE ROOMS

9000 C O D PAID

*Dinner
630 4th Avenue
New York, New York*

TERMS: NET CASH LABOR

SCREENING NO.	CUST. ORDER NO.	DATE	AMOUNT
37411		6/09/73	
RENTAL OF SCREENING ROOM AND SERVICES OF PROJECTIONISTS		HOURS	RATE
SCREENING TIME: 1.00 2.00 PM 06/07/73			
SUBJECT: DEEP THROAT			
REGULAR PROJECTION 10		1.00	30.00
			30.00
			130.00

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POSTED

TO INSURE CORRECT APPLICATION KINDLY RETURN REMITTANCE COPY WITH YOUR PAYMENT

This invoice will be deemed correct in all respects and will constitute an account stated if no claim for adjustment is made within ten (10) days following its receipt by customer.

Movielab takes precautions for the safekeeping, developing, printing, handling, other processing, storage and shipping of its customers' films and other property but assumes no responsibility for their loss or damage from any cause whatsoever including negligence. Since the intrinsic value of customer's films and other property greatly exceeds Movielab's charges for its services or materials furnished, all such materials are accepted upon the express understanding and condition that they are fully insured by customer against all loss or damage from any cause whatsoever, including negligence, whether suffered while in Movielab's possession or dominion, or otherwise and the customer waives all right, of subrogation and that such insurance does not and will not give the insurer any recourse or rights of subrogation against Movielab. In no event shall Movielab be liable

4.8

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/1/73

[redacted] Movielab, Incorporated, 619 West 54th Street, New York, New York (Movielab), advised after viewing a copy of Movielab Projection Slip Number T-27239, dated June 7, 1973 and Screening Order Number 37411, dated June 7, 1973 that he was the projectionist during the screening of the motion picture film entitled, "Deep Throat" for Dameano, 630 9th Avenue, New York City on July 7, 1973 at this location. He said that he does not recall the name of the individual who represented Dameano at this screening and is unable to make out the signature of the customer appearing on the previously mentioned Projection Slip and Screening Order.

After viewing photographs of the following individuals, [redacted] advised that these persons are unknown to him:

[redacted] New York City Police Department (NYCPD)
 B # [redacted]
 [redacted] NYCPD B # [redacted]
 [redacted] NYCPD B # [redacted]
 [redacted] New York State Identification and
 Intelligence System (NYSIS) # [redacted]
 [redacted] NYCPD B # [redacted]
 [redacted] NYCPD B # [redacted]
 [redacted] NYCPD B # [redacted]
 [redacted] FBI # [redacted]
 [redacted] FBI # [redacted]

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Interviewed on 7/26/73 at New York, New York File # NY 145-3400

by SA [redacted] rcp Data dictated 7/27/73

NY 145-3400

INVESTIGATION CONDUCTED BY THE NEW YORK
OFFICE OF THE FEDERAL BUREAU OF INVESTIGATION
RE: THE SEIZURE OF ONE 35 MILLIMETER PRINT OF
THE MOTION PICTURE FILM ENTITLED, "DEEP THROAT"
IMPORTED FROM WEST GERMANY AND SEIZED BY
UNITED STATES CUSTOMS AT JOHN F. KENNEDY
INTERNATIONAL AIRPORT, QUEENS, NEW YORK,
ON APRIL 9, 1973

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/6/73

[redacted], Lufthansa-German Airlines, John F. Kennedy International Airport (JFK), Queens, New York, was interviewed and provided the following information:

According to his records, Lufthansa airway bill number 220-98708396 is the shipping document for a two package shipment of freight. This shipment was consigned from Franz Kroll and Company, Munchen 7e, West Germany to Nehls and O'Connell, Incorporated, 175-41 148th Road, Rosedale, New York. According to this document, the commodity being shipped was safety film.

[redacted] advised that there are three original copies to this airway bill. One of the original copies is maintained by the shipper, one is maintained by the ultimate consignee and the third is maintained by Lufthansa. [redacted] further stated that the Lufthansa copy of this airway bill would be at the Hamburg, West Germany office of Lufthansa and would be available through the issuance of a subpoena duces tecum addressed to Lufthansa-German Airlines, Cargo Building Number 261, JFK International Airport, Jamaica, New York, attention:

[redacted]

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Interviewed on 7/27/73 at JFK International Airport
Queens, New York File # NY 145-3400
by SAS [redacted] AND [redacted]
[redacted] GVN:pmb Date dictated 8/2/73

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/6/73

[redacted] Lufthansa-German Airlines, John F. Kennedy International Airport (JFK), Queens, New York, was interviewed and provided the following information:

A review of the 1973 and 1972 records of Lufthansa-German Airlines indicate airway bill number 220-91186325 could not be located.

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Interviewed on 7/27/73 at JFK International Airport, Queens, New York File # NY 145-3400
by SAS [redacted] AND [redacted] Date dictated 8/2/73
by [redacted] GVN:pmb

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/6/73

[redacted] Special Agent, United States Customs Service, John F. Kennedy International Airport (JFK), Queens, New York, advised that according to the records available to him, a civil seizure of the film "Deep Throat" was made by United States Customs Officer Mr. IRVING FISHMAN. According to [redacted] FISHMAN is a United States Customs expert in pornographic films. Customs regulations demand that FISHMAN or any other qualified expert review films being imported into the United States to determine if they are pornographic. If, in the opinion of the examiner, the film is pornographic, regulations further state that he is to make a seizure of the film. According to the information available to [redacted] this is apparently what had happened in this case.

[redacted] further advised that United States Customs entry form number KF22965, dated April 3, 1973, is also in the possession of IRVING FISHMAN.

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Interviewed on 7/27/73 at JFK International Airport, Queens, New York File # NY 145-3400
by SAS [redacted] AND GVN:pmb Date dictated 8/2/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/73

[redacted] Secretary to IRVING FISHMAN, Director, Imports Compliance Branch, United States Customs Service, Room 721, United States Customs House, Battery Park, New York, New York, made available the attached entry documents concerning the importation of one print of the motion picture film entitled, "Deep Throat" into the United States at John F. Kennedy International Airport, Queens, New York, on February 20, 1973, which showed the following information:

On February 20, 1973, one motion picture film entitled, "Deep Throat", 7100 feet, valued at \$213.00, arrived at New York aboard Lufthansa - German Airlines, flight number 460, under Lufthansa House Airway Bill Number 030791, and Lufthansa Consolidated Airway Bill Number 220-98708396. This portion of the shipment was consigned to Aquarius Throat Incorporated, 229 West 42nd Street, New York, New York from MAP Basel, Munich, West Germany. The film was originally exported from the United States on January 3, 1973 by Aquarius Releasing Incorporated, 229 West 42nd Street, New York, New York, and was consigned to MAP Basel, Munich, Germany. The film was exported via Lufthansa - German Airlines, under Lufthansa Airway Bill Number 220-91186325.

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Interviewed on 8/7/73 at New York, New York File # NY 145-3400

SA [redacted] :laa

8/7/73

by _____ Date dictated _____

CARRIER'S CERTIFICATE

BUREAU OF CUSTOMS

THIS SPACE FOR CUSTOMS USE ONLY

ENTRY NO.

KF 22965

DATE

INTL
AIR MAIL
FREE

REGIONAL COMMISSIONER OF CUSTOMS

NEW YORK

(PORT OF ENTRY)

Item _____ Date _____

Designated carrier, to whom or upon whose order the articles described below or in the attached document must be released, hereby certifies

BARNETT/FREESLATE AND OR
AQUARIUS RELEASING INC.nee _____
owner or consignee of such articles within the purview of Section
, Tariff Act of 1930.

KG/NUMBERS	PIECES	WEIGHT	DESCR. OF MERCHANDISE	PORT/DATE SAILG.	AWB NUMBER
AWB	1	40 lbs. e.w.	M.P. FILM	MUNICH	220/98708396
# 030791					

NUMBER DABYE

No. LH/460

ED 2/10/73

LUFTHANSA GERMAN AIRLINES

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PICK UP ORDER AND TALLY

BARNETT/NOVO INT'L CORP.
BOX 7

VALIDATION

TRUCKER NAME

is authorized to pickup the merchandise
indicated below.COD ☐ BANK RELEASE ☐ COLLECT ☐ \$ _____

BROKER NAME & AUTHORIZED SIGNATURE

MARKS & NUMBERS	ENTRY NO.	U. S. CUSTOMS RELEASE	RECEIVED IN GOOD ORDER & CONDITION SIGNATURE & DATE	IDENTIFICATION

DECLARATION FOR FREE ENTRY OF RETURNED AMERICAN PRODUCTS

Form Approved
Budget Bureau
No. 48-R0408

003824

AND/OR CERTIFICATE OF EXPORTATION


PORT AND DISTRICT New York 247-01	DATE 2/20/73	ENTRY NO. AND DATE
EXPORTED BY (Name and address of actual shipper) Marius Releasing Inc/ 229 West 42nd ST NY, NY		CERTIFICATE OF EXPORTATION NO.
FOR ACCOUNT OF (Name and address) A M E		DECLARATION NO.
CONSIGNEE TO (Name and address of actual consignee) Basel Munch, West Germany		
U. S. PORT OF EXPORTATION New York	VESSEL OR CONVEYANCE Luft	EXPORT B/L or AWB NO. 220-91186325
CLEARED FOR	ACTUAL DATE EXPORTED FROM U. S. 1/3/73	EXPORT DECLARATION NO.
NOTICE OF EXPORTATION NO.	FILED AT PORT OF	DRAWBACK Claimed <input type="checkbox"/> Not Claimed <input type="checkbox"/>

MARKS, NUMBERS, AND DESCRIPTION OF ARTICLES EXPORTED	VALUE
220-98708396 One (1) pcl. M.P. Film 7100 ft -030791 "Deep Throat"	\$213.00

ARTICLES RETURNED TO (Name and address) Marius Throat Inc. 229 West 42nd Street NY, NY		IMPORTING VESSEL OR CONVEYANCE Luft DABYE
DATE OF ARRIVAL 10/73	COUNTRY FROM WHICH ARTICLES ARE RETURNED W Germany	Flt. 460

MARKS, NUMBERS, AND DESCRIPTION OF ARTICLES RETURNED	VALUE
SAME AS THE ABOVE	

I declare that the information given above is true and correct to the best of my knowledge and belief: that the articles described above are the growth, production, and manufacture of the United States and are returned without having been advanced in value or improved in condition by any process of manufacture or other means; that no drawback bounty, or allowance has been paid or admitted thereon, or on any part thereof; and that if any notice(s) of exportation of articles with benefit of drawback ☐ was ☐ were filed upon exportation of this merchandise from the United States, such notice(s) ☐ has ☐ have been abandoned.

NAME OF DECLARANT	TITLE OF DECLARANT des employee
NAME OF CORPORATION OR PARTNERSHIP (if any) Mett/Novo Int'l Corp	SIGNATURE 
PLEASE VERIFY THE ABOVE STATEMENT AS TO EXPORTATION AND CERTIFY TO THE FACTS OF EXPORTATION.	
TITLE AND SIGNATURE OF CUSTOMS OFFICER OR APPLICANT	

CUSTOMS USE ONLY		
TO	PORT	
The records of this office show that the articles described above, and in the quantities stated, were exported from this port as set forth: that all customs requirements were met except as noted: and that drawback has been paid in the amount of:		
AMOUNT OF DRAWBACK	TITLE OF CUSTOMS OFFICER	SIGNATURE OF CUSTOMS OFFICER

CUSTOMS FORM 3311
JAN 68

GPO 953-938

KF 22965 56

FILM PRO-FORMA INVOICE

INTL
AIRPORT
FREE

DATE

New York, N.Y.
2/20/73

FROM:

MAP Basel
Munich, West Germany

0000
Free
10 TO:
54 ft

Aquarius Releasing Inc.
229 West 42nd Street
New York, New York

(AMERICAN GOODS RETURNED)

One (1) Ctn. M.P. Film

VALUE \$213.00

7100 FT. POSITIVE MOTION PICTURE FILM

FT. DUPE NEGATIVE MOTION PICTURE FILM

FT. SOUND FILM FOR M.P. FILM

FT. SOUND TAPE FOR USE WITH M.P. FILM

FT. EXPOSED UNDEVELOPED M.P. FILM

FT. VIDEO TAPE

Deep Throat"

AQUARIUS RELEASING INC.
By: BARNETT/NOVO INTERNATIONAL CORP. atty.

KF 22965



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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/9/73

Assistant United States Attorney (AUSA) CYRIL HYMAN, Civil Division, Eastern District of New York (EDNY), advised that on May 1, 1973, [redacted] of Aquarius Releasing Incorporated, 229 West 42nd Street, New York, New York in the Federal District Court, EDNY, filed a certificate of ownership re the print of the motion picture film entitled, "Deep Throat" seized by United States Customs at John F. Kennedy International Airport, Queens, New York on April 9, 1973.

A copy of the affidavit filed by [redacted] attesting to his ownership of the film "Deep Throat" in this matter is being retained as a permanent exhibit in this case.

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Interviewed on 8/9/73 at Brooklyn, New York File # NY 145-3400

by SA [redacted] :laa Date dictated 8/9/73

NY 145-3400

b3

RESULTS OF INTERVIEW OF [REDACTED]
[REDACTED]

FEDERAL BUREAU OF INVESTIGATION

Date 7/18/73

[redacted]
appeared at the office of the Strike Force, Eastern District
of New York (EDNY), Room 327-A, 35 Tillary Street, Brooklyn,
New York pursuant to a subpoena, accompanied by his attorney,
[redacted] business telephone number, [redacted]

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[redacted] was interviewed in the presence of his
attorney and Special Attorney, FRED BARLOW, Strike Force,
EDNY. [redacted] furnished the following information:

[redacted]

[redacted]

On 7/11/73 at Brooklyn, New York File # NY 145-3400
by SA [redacted] ms Date dictated 7/16/73

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

JJM:rcp

1.

b3

NY 145-3400

On July 11, 1973, Special Attorney FRED BARLOW, Strike Force, Eastern District of New York (EDNY), advised that on this date [redacted] testified before a Federal Grand Jury, EDNY. [redacted] before this Grand Jury, [redacted]

According to Mr. BARLOW [redacted]

NY 145-3400

RESULTS OF INTERVIEWS OF LINDA
TRAYNOR, ALSO KNOWN AS LINDA
LOVELACE [REDACTED]

b3
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b7C

[REDACTED] RE. [REDACTED]
[REDACTED]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/8/73

[redacted]
was interviewed in the office of Special Attorney FRED BARLOW,
Strike Force, Eastern District of New York (EDNY), Room 327 A,
35 Tillary Street, Brooklyn, New York. The interview
was conducted in the presence of [redacted]
attorney [redacted] of Miami, Florida and Special Attorney
BARLOW [redacted]
[redacted]

b3
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b7C

[redacted] furnished the following information:

[redacted]

Interviewed on 8/8/73 at Brooklyn, New York File # NY 145-3400

SAS [redacted] and
[redacted] /JJM:laa Date dictated 8/8/73

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/8/73

LINDA TRAYNOR nee BOREMAN, also known as LINDA LOVELACE, was interviewed in the office of Special Attorney FRED BARLOW, Strike Force, Eastern District of New York (EDNY), Room 327 A, 35 Tillary Street, Brooklyn, New York. The interview was conducted in the presence of [redacted]

[redacted] and Special Attorney BARLOW [redacted]

[redacted]

[redacted] furnished the following information:

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Interviewed on 8/8/73 at Brooklyn, New York File # NY 145-3400

by SAS [redacted] and [redacted] Date dictated 8/8/873
JJM:laa

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b7C

NY 145-3400

On August 8, 1973, LINDA TRAYNOR, nee BOREMAN,
also known as LINDA LOVELACE [REDACTED]
[REDACTED] both testified for the Government
before a Federal Grand Jury, Eastern District of New York
(EDNY). [REDACTED]
[REDACTED]
[REDACTED]

Those AUSAs and/or Federal Strike Force Attorneys
desiring a copy of the transcript of the Grand Jury
testimony of either LINDA [REDACTED] may
request same from Special Attorney FRED BARLOW, Strike Force,
EDNY, 35 Tillary Street, Room 327A, Brooklyn, New York,
telephone number 212-596-4319.

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b7C

NY 145-3400

RESULTS OF INVESTIGATION CONDUCTED
BY THE NEWARK OFFICE OF THE FEDERAL
BUREAU OF INVESTIGATION RE: PICK-UP
AND SHIPPING SHEETS FOR AQUARIUS
RELEASING INCORPORATED ACCOUNT AT
BONDED FILM STORAGE COMPANY, INCORPORATED
FORT LEE, NEW JERSEY, RE: "DEEP THROAT"

JJM:ms

1.

NY 145-3400

By communication dated July 27, 1973, the Newark Office of the Federal Bureau of Investigation (FBI) advised as follows:

On July 26, 1973, [redacted] Bonded Film Storage Company, 550 Main Street, Ft. Lee, New Jersey advised Special Agent (SA) [redacted] that pages 237 and 257 of the report of SA [redacted] at New York dated July 18, 1973 are pick-up and shipping sheets for the Aquarius Releasing Incorporated account at Bonded.

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b7C

[redacted] advised that there is no way of his positively stating which employee prepared the latter mentioned sheets. He said that it was obvious from the sheets that instructions for pick-up and shipping the film were telephonically received from Aquarius Releasing Incorporated in New York City. He opined that employee [redacted] at Bonded Film Storage Company handled the shipping documents for the Aquarius Releasing Incorporated account at Bonded and therefore handled the shipping documents relative to "Deep Throat."

[redacted] stated that the corporation requests that if the government desires to interview [redacted] relative to his handling of the shipping documents for "Deep Throat" that [redacted] be subpoenaed to testify before a Federal Grand Jury relative to these matters.

Concerning page 319 of report of SA [redacted] dated July 18, 1973, [redacted] stated that the carrier is Beacon Fast Freight Company, 53 Bay State Road, Boston, Massachusetts and that this company picked the film up at Bonded. [redacted] said that the notations appearing over the

NY 145-3400

2.

date "2/21/73" is the number of the way bill which the home office of Bonded uses for billing purposes and has no interests in captioned matter as it is an internal billing number.

NY 145-3400

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INFORMATION RE:

NY 145-3400

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ARREST RECORD RE: ON FILE
WITH THE BUREAU OF CRIMINAL IDENTIFICATION
NEW YORK CITY POLICE DEPARTMENT AS OF
JULY 16, 1973

JJM:rcp

1.

NY 145-3400

On July 16, 1973, records of the Bureau of Criminal Identification, New York City Police Department (NYCPD), as caused to be searched by Special Agent (SA) [REDACTED] [REDACTED] revealed the following record for [REDACTED] under the name [REDACTED] New York State Identification and Intelligence Number [REDACTED]

[REDACTED]

Above mentioned record shows the following description for [REDACTED]

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Name	[REDACTED]
Sex	Male
Race	White
Date of birth	[REDACTED]
Place of birth	[REDACTED]
Height	5 feet 11 inches
Weight	173 pounds
Hair	Brown
Eyes	Blue
Residence	[REDACTED] New York, New York
Employment	[REDACTED] New York, New York

NY 145-3400

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ARREST RECORD RE: GERARD DAMIANO, [REDACTED]
[REDACTED] AND [REDACTED] ON FILE WITH THE
IDENTIFICATION DIVISION, FEDERAL BUREAU OF
INVESTIGATION, WASHINGTON, D.C. AS OF
AUGUST 6, 1973

NY 145-3400

Records of the Identification Division, Federal Bureau of Investigation (FBI) Washington D.C. as of August 6, 1973, contained the attached arrest record for GERARD DAMIANO, under FBI Number 4 434 838:

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
IDENTIFICATION DIVISION
WASHINGTON, D. C. 20537

8-6-73 205RMB

2

4 434 838

The following information from FBI record, NUMBER
is furnished FOR OFFICIAL USE ONLY.

All descriptive factors (if any) furnished by you match
those in our identification file unless herein quoted.

Description and Related Data:

Race:

Sex:

Height: 5-4

Weight: 130

Hair: dark brown

Eyes:

Date and Place of Birth: DOB-unk

Scars and Marks: unk

Address: unk

Occupation: Bus Boy

Since neither fingerprints nor an
identifying number which is indexed
in our files accompanied your request,
FBI cannot guarantee in any manner
that this material concerns the
individual in whom you are interested.

NY 145-3400

Records of the Identification Division, Federal
Bureau of Investigation (FBI), Washington D.C. as of
August 6, 1973, contained the attached arrest record for
[REDACTED], under FBI Number [REDACTED]

b6
b7C

NY 145-3400

Records of the Identification Division, Federal
Bureau of Investigation (FBI), Washington D.C., as of
August 6, 1973, contained the attached arrest record for
[redacted] under FBI Number [redacted]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN LOS ANGELES	DATE 10/21/73	INVESTIGATIVE PERIOD 2/27/73 - 10/11/73
TITLE OF CASE PUBLIC SHOWING OF THE MOTION PICTURE FILM ENTITLED "DEEP THROAT", DIRECTOR GERARD DAMINO, aka; ET AL: [REDACTED]		REPORT MADE BY [REDACTED]	TYPED BY b6 dlb7C
		CHARACTER OF CASE ITOM	

REFERENCE: Los Angeles report of SA [REDACTED] dated
8/27/73.

- P -

ADMINISTRATIVE:

Investigative period of this report exceeds normal reporting time, but it is due to investigation received from an auxiliary office.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>EL/WH</i>						SPECIAL AGENT IN CHARGE	
COPIES MADE:						DO NOT WRITE IN SPACES BELOW	
See Cover Page B						145-5049-24 REC-46	
2- Bureau						9 OCT 26 1973 EX-109	
Dissemination Record of Attached Report						Notations	
Agency	1-AAG (Crino Div) John Murphy					V SIX DATA PROC	
Request Recd.	JRH/Rg						
Date Fwd.	10/31/73						
How Fwd.							
By	189						

COVER PAGE

LA 145-1851

Copies:

- ② - Bureau (145-5049)
 - 1 - USA, Los Angeles
(ATTN AUSA MICHAEL T. KENNEY)
 - 1 - Honolulu (145-165) (Info)
 - 1 - New York (145-3400) (Info)
 - 2 - Los Angeles (145-1851)
-

LEADS

HONOLULU

AT HONOLULU, HAWAII: One copy of this report is being furnished Honolulu Office as they are currently conducting investigation in this case.

NEW YORK

AT NEW YORK CITY, NEW YORK: One copy of this report is being furnished the New York Office as they have an investigative interest in this case.

LOS ANGELES

AT LOS ANGELES, CALIFORNIA: Will follow this case with the United States Attorney's Office.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1 - USA, Los Angeles
Copy to: (ATTENTION AUSA MICHAEL T. KENNEY)

Report of: [REDACTED]
Date: 10/21/73

Office: Los Angeles, California

Field Office File #: 145-1851

Bureau File #: 145-5049

Title: PUBLIC SHOWING OF THE MOTION
PICTURE FILM ENTITLED "DEEP THROAT"
DIRECTOR GERARD DAMINO;
ET AL
XREFS: VINCENT MIRANDA;
PUSSYCAT THEATER
7734 Santa Monica Boulevard
Los Angeles, California
SYNOPSIS

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Character: INTERSTATE TRANSPORTATION OF
OBSCENE MATTER

Synopsis: The Royal Development Company, Inc., Honolulu,
owns theaters in Hawaii where the movie "Deep
Throat" is being shown. They obtained the film
through [REDACTED] Los Angeles. The film is
due to be returned to Los Angeles sometime in
October, 1973.

- P -

DETAILS:AT LOS ANGELES, CALIFORNIA

The United Theatrical Amusement (UTA), 1658 Cordova,
Los Angeles, California, is a service organization for film
owners. UTA serves as a warehouse, does repair work on films,
and ships films at the request of the individual having control
of the film. They own no films themselves.

LA 145-1851

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They serve the account of Gerard Damino Film
Production, Incorporated, 630 Ninth Avenue, New York, New
York [REDACTED]

[REDACTED]
[REDACTED] appeared before a Federal
Grand Jury at Los Angeles on July 30, 1973 concerning [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

AT HONOLULU, HAWAII

By communication dated August 2, 1973, Honolulu Division
advised as follows:

[REDACTED] of
Royal Development Company, Incorporated, 1370 South Beretania,
Honolulu, Hawaii, advised as follows on August 1, 1973:

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The Royal Theater, Kuhio Avenue, Honolulu, Hawaii, is one of several theaters owned and operated by Royal Development Company, Incorporated. [] in order to determine source of the film "Deep Throat," telephonically contacted his Los Angeles agent, [], at [] telephone [] advised that [] obtained a lease on the film "Deep Throat" from [] telephone [] According to [] is Los Angeles [] Damino Films and is currently in New York City.

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[] provided Air Freight Waybill Number 6876, dated January 5, 1973, for GTS Air Freight, Oakland, California. The waybill reflects the shipper as Damino Films, 1664½ Cordova, Los Angeles, California, and the consignee as Royal Theaters, 1370 South Bertania, Honolulu, Hawaii. The film is described as being one 35 millimeter film entitled "Deep Throat, Number A."

The film "Deep Throat" had shown for several months at the Queen Theater, Kaimuki, Honolulu, then the film was moved to an outlying theater on the island of Oahu, where as of August 1, 1973, the movie was being shown.

FEDERAL BUREAU OF INVESTIGATION

8/30/73

Date of transcription

[redacted] Royal Development Company, Inc., 1370 South Beretania Street, Honolulu, Hawaii, advised that he does not plan to return the film "Deep Throat" to Los Angeles until sometime in mid-October at which time he will notify Agents of the FBI so that they can be available to witness the packing of the film and to identify the specific film.

[redacted] advised that at present he has no contractual agreement with [redacted] regarding the film "Deep Throat", however, this is not unusual as in the normal course of events he would request a film which would be mailed to him and then terms for the rental of the film would be negotiated. The contractual agreement for the film "Deep Throat" is still under negotiation. He advised that he would make a copy of the contract available to the FBI when the contract has been negotiated.

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[redacted] stated that to the best of his knowledge there is only one 35MM copy of the film "Deep Throat" on the Island of Oahu and that it is in his company's possession. He had originally intended to return the film to Los Angeles during the first week of September but currently the film is scheduled to run in a Waipahu theatre during the week of September 19, 1973. He advised at this time he is not certain whether or not he will show the film.

There were at least two 16MM copies of "Deep Throat" circulating in Honolulu during the past two years. He stated he did not know which company had handled the distribution of the 16MM copies or which theatre had shown it or if in fact the copies were still in the islands. [redacted] stated he has not been in direct contact with [redacted] concerning the film "Deep Throat" which is normal. All his film rentals are handled through an agent in Los Angeles.

Interviewed on 8/29/73 at Honolulu, Hawaii File # HN 145-165
by SA [redacted] -4- /ctm Date dictated 8/30/73

LA 145-1851

AT SEATTLE, WASHINGTON

In connection with the intensified investigations of Interstate Transportation of Obscene Matters (ITOM) films being shown at the Snowhomish Theater, 1003 First Street, Snowhomish, Washington, were monitored until a blanket opinion was obtained from the United States Attorney's Office, Seattle, Washington, indicating that they would not entertain prosecution against theater manager.

In connection with this investigation, the film "Deep Throat" was viewed by Special Agents of the Seattle Office of the FBI at the Snowhomish Theater on February 27, 1973, and an appropriate FD-302 was prepared.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 3/7/73

On February 27, 1973, [] Greyhound Lines West, 1503 Pacific Avenue, Everett, Washington, advised that [] who he believes [] of the Snohomish Theater, Snohomish, Washington, does ship and receive film by Greyhound Lines. He said that on Monday, February 26, 1973, [] was in the bus station looking for the film "Deep Throat" which he apparently was expecting and which had not arrived yet. [] continued that to the best of his knowledge this film did not come by Greyhound, noting that he understands [] probably also receives film either by one of the film delivery services or other means because he does not get and receive film by Greyhound every week.

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[] continued that [] had mentioned to him either late the previous week or over the weekend that he had a film coming which he described as either a "good one" or a "hot one" and mentioned it by name as "Deep Throat." [] went through his records for the month of February and found no record of the Snohomish Theater having received any film by Greyhound during that month. He did, however, find the following record of film shipped by the Snohomish Theater:

2/5/73 on Greyhound bus bill 84709458-9 one can of film was shipped to Gerard Domano Film, 12309 Burbank Boulevard, No. 27, North Hollywood, California. Declared value was \$250. Actual weight was 47 pounds and the phone number was listed as [] Express charges were \$10.80, value charges were \$.50, C.O.D. charge \$.10, for a total of \$11.40.

On February 12, 1973 at 9 a.m. one carton consisting of four pieces described as National Film was shipped to Local Film Delivery, Seattle, Washington. The actual weight was 144 pounds. The bus bill no. was 84709528-2. Express charges were \$4.55, C.O.D. fee \$.10, for a total of \$4.65.

Interviewed on 2/27/73 at Everett, Washington File # SE 145-414

-6-

by SA [] /set Date dictated 3/2/73

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 3/15/73

On March 9, 1973, [redacted] Greyhound Lines-West, 1503 Pacific Avenue, Everett, Washington, advised that at about 12:30 p.m. this date, [redacted] of the Snohomish Theater, Snohomish, Washington, made two shipments by Greyhound.

Bus bill number 84709791 was a collect shipment of one can of film identified as "Deep Throat" to DAMIANO Films, 1664½ Cordova, Los Angeles, California, telephone 734-0510. This was a collect shipment, weighed 45 pounds. It was insured for \$250 and the total fee was \$11.40.

Also shipped was two cans of unidentified film to local film delivery, Seattle, Washington. This was under Bus Bill 35507060. It weighed 90 pounds and the fee was \$2.90.

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Interviewed on 3/9/73 at Everett, Washington File # SE 145-414
by SA [redacted] rlg -7- Date dictated 3/9/73

AT PORTLAND, OREGON

[redacted] Aladdin Theater, 3017
South East Milwaukee Avenue, Portland, Oregon, [redacted]
[redacted].

On August 3, 1973, an attempt was made by the
Portland Division of the FBI to interview [redacted] regarding
the current showing of the film "Deep Throat" at his Aladdin
Theater was unsuccessful. [redacted] advised any appointment
with him should be set up through his attorney [redacted]
[redacted]

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On August 17, 1973, Attorney [redacted] advised that
he and [redacted] would determine if questions presented by
the FBI could be entertained without jeopardizing his client.
Repeated attempts to contact [redacted] attorney from August 28,
1973, until September 17, 1973, were unsuccessful.

On September 17, 1973, Attorney [redacted] advised that
his client would be unable to assist the FBI in their investi-
gation of [redacted] and Damino Films.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription August 28, 1973

[redacted] Attorney, Oregon National Building, 610 S.W. Alder, Room 705, telephone [redacted] advised he represents [redacted] and had advised his client it might not be in his interest to meet with Agents of the Federal Bureau of Investigation (FBI). However, [redacted] stated he would advise his client of any questions the Agents would like to direct to him regarding films received at Aladdin Theater [redacted]

Attorney [redacted] offered a dictaphone for the Agents' use, but this was declined by SA [redacted] [redacted] then stated he would write the questions down in long hand.

SA [redacted] directed the following questions to attorney [redacted] for relay to [redacted];

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1. Had the Aladdin Theater received the film entitled "Deep Throat," copy number six, shipped on or about February 12, 1973, from Los Angeles, California? The shipper was [redacted] whose true name is [redacted] who is [redacted] [redacted] for Gerard Damiano Film Production, Incorporated, 630 Ninth Avenue, New York, New York. [redacted] has an address of [redacted] [redacted] California.
2. Did the Aladdin Theater also receive a film entitled "Evil Ways of Love," print number 20, shipped from Los Angeles, California, by the same source on or about February 15, 1973?
3. Did [redacted] request the above films be sent to him or was he solicited by [redacted] or someone representing Damiano Films to feature "Deep Throat" and "Evil Ways of Love" in his theater.

[redacted] advised he could not promise his client would answer the questions as they might hit too close to home. His client had just finished a long legal battle which finally ended in an appeals court, and he might not be too anxious to get

Interviewed on 8/17/73 at Portland, Oregon File # PD 145-307
PD 145-289

SAs [redacted]

-9-

by [redacted]

/SEW:krv

Date dictated 8/21/73

PD 145-307

PD 145-289

2

involved in a similar case.

[] stated he was reasonably sure his client had not committed any violations as pornography is legal in the State of Oregon. It seemed to attorney [] there was a real legal problem in that this sort of material is legal in one state yet it is illegal to move it into that state.

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[] offered Agents a petition to sign for repeal of anti-obscenity measure, Senate Bill 708, which is due to go into effect during October, 1973. Agents declined to sign. [] asked the Agents if they were aware of the fact []. He was advised by SA [] the Agents were aware of this fact. Attorney [] then advised the Agents he would get in touch with [] and provide the FBI with any information based on the questions which he and [] felt would not be detrimental to [] interest.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription September 17, 1973

[redacted] Attorney, Oregon National Building,
610 S.W. Alder, Room 507, telephone [redacted] telephonically
advised that he had been in contact with his client, [redacted]
[redacted] and it was the joint decision of him and his client
that they would be unable to provide any information to the
FBI regarding the film "Deep Throat" and the supposed [redacted]
[redacted] doing business as Damiano
Films.

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Interviewed on 9/17/73 at Portland, Oregon File # PD 145-307
PD 145-289
by SA [redacted] /ceh -11- Date dictated 9/17/73

LA145-1851

AT SEATTLE, WASHINGTON

Seattle Division further advised that [] referred to by [] is [] who owns theaters in Seattle which are operated by []. One of these theaters is the Garden Theater which has been showing the film "Deep Throat" at Seattle for approximately six months.

[] has been interviewed in the past and it is not expected that he would cooperate concerning the shipping of the film back to Los Angeles, therefore, no attempt was made to interview him.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/29/73

On August 17, 1973, [] and his [] were interviewed at her residence at []. They advised that after Whatcom County Prosecutor JANE MASON had authorized seizure of film from Point Roberts Theater they called to ask her if she was "getting any heat" from their showing of "Deep Throat". She at first said no, but then subsequently indicated that there might be some action taken so they voluntarily took it off and discontinued showing it.

They wanted to keep the copy they had to possibly show in the future. [] would not allow this and told them to turn it over to "Greenland in Seattle" as the film they were showing in Seattle was poor. During the week of August 8 an individual who gave a receipt which appears to show his name as [] picked up it personally after they received a phone call from [] of Greenland in Seattle, that he was sending someone up for it.

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[] advised that they received the film "Blue Balloon" from [] in San Francisco but will have no more dealings with him. This is because he called once or twice a week during it's showing wanting money. They played it for five weeks and forwarded his money regularly, but he claims they still owe \$490.77. This was because he would not believe that they had to pay Canadian discount, he would not make allowances for the cost of a second feature that he could not provide and there was a dispute on the advertising allowances. They have been in written communication about this with "Region West", 988 Market Street, Suite 303, San Francisco, phone 673-2774. A letter from Region West dated August 2, 1973 has an illegible signature that could be []. They have also received phone calls from [] but no threats of any kind and do not anticipate any.

[] advised that he was in the Army with Serial Number []

Interviewed on 8/17/73 at Blaine, Washington File # SE 145-66
by SA [] (A)/rse -13* Date dictated 8/23/73

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN NEW YORK	DATE NOV 12 1973	INVESTIGATIVE PERIOD 7/31/73 - 11/9/73
TITLE OF CASE PUBLIC SHOWING OF MOTION PICTURE FILM ENTITLED "DEEP THROAT"; DIRECTOR, GERRARD DAMIANO aka; ET AL		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY kjp
		CHARACTER OF CASE ITOM - CONSPIRACY; AR	

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b7cREFERENCES:

JKairtel to Bureau, dated 8/6/73.
 NYairtel to Miami, dated 8/7/73 (Interoffice).
 BSairtel to New York, 8/8/73 (Interoffice).
 CGlet to New York, dated 8/13/73 (Interoffice).
 MMlet to New York, dated 8/14/73 (Interoffice).
 ALairtel to Bureau, dated 8/21/73.
 MMairtel to Bureau, dated 8/22/73.
 NYairtel to Newark, dated 9/6/73 (Interoffice).
 NY rep of SA dated 9/7/73.
 DNlet to New York, dated 9/17/73, (Interoffice).
 NYlet to Denver, dated 9/25/73 (Interoffice).
 JKlet to New York, dated 9/26/73 (Interoffice).
 CGairtel to New York, dated 9/27/73 (Interoffice).

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ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED		SPECIAL AGENT IN CHARGE		DO NOT WRITE IN SPACES BELOW			
COPIES MADE:				<div style="float: right; text-align: right;"> REC 44 ST-105 </div>			
5 - Bureau (145-5049) (3 - 92-6701) 1 - Strike Force, EDNY (ATT: AUSA FRED BARLOW) 1 - Strike Force, SDNY (COPIES CONTINUED ON COVER PAGE B) 1 - New York (92-2681) 2 - New York (145-3400)				<div style="border: 1px solid black; padding: 5px; text-align: center;"> NOV 15 1973 </div>			
Dissemination Record of Attached Report					Notations		
Agency	1-AAG (rim)						
Request Recd.	J. Murphy						
Date Fwd.	1-5						
How Fwd.	J. K. H. on						
By	11/16/73						

5 NOV 19 1973

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NY 145-3400

REFERENCES (Continued)

NYairtel to Boston, dated 9/26/73 (Interoffice).
LAlet to New York, dated 9/28/73.
NYairtel to Boston, dated 10/26/73 (Interoffice).

- P -

ADMINISTRATIVE

It is noted that the period of this report overlaps the period of referenced report. This was necessary in order to include in this report results of investigation conducted by auxiliary offices and not received by reporting office prior to submission of referenced report.

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1 - Newark (145-1267)
2 - Norfolk (145-185)
2 - Phoenix (145-372)
2 - Tampa (145-379)

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NY 145-3400

ADMINISTRATIVE (Continued)

An additional copy of this report is being designated for the Bureau under the 145 classification in the event the Bureau may desire to disseminate a copy of this report to the Department.

An additional copy of this report is being furnished those auxiliary offices where prosecution is pending or where prosecution is contemplated re the motion picture film entitled, "Deep Throat". Each receiving office may desire to furnish this additional copy to the interested AUSA for possible assistance in prosecution.

LEADS

BOSTON

AT BOSTON, MASSACHUSETTS. Will complete coverage of leads set forth in New York airtel to Boston, dated 9/26/73.

NEW YORK

AT BROOKLYN, NEW YORK. Will maintain contact with Special Attorney FRED BARLOW, Strike Force, EDNY, to insure early presentation of the EDNY phase of the investigation to a Federal Grand Jury, EDNY.

AT NEW YORK, NEW YORK. Will maintain close contact with the Strike Force, SDNY, to insure early presentation of the SDNY phase of this investigation to a Federal Grand Jury, SDNY.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1-Strike Force, EDNY (ATT: AUSA FRED BARLOW)
1-Strike Force, SDNY

Report of:

Date:

[REDACTED]
NOV 14 1972

Office:

New York, New York

Field Office File #:

145-3400

Bureau File #:

145-5049

Title:

PUBLIC SHOWING OF MOTION PICTURE FILM
ENTITLED, "DEEP THROAT";
DIRECTOR, GERARD DAMIANO;
ET AL

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Character:

INTERSTATE TRANSPORTATION OF OBSCENE MATTER-
CONSPIRACY; ANTI-RACKETEERING

Synopsis:

Records USDC, District of Massachusetts, show defendant, Gerard Damiano Film Productions, Inc., NY, NY, (DAMIANO), through defense counsel, filed stipulation of fact admitting print of "Deep Throat" seized by U.S. Customs at Boston, Massachusetts on 3/16/73 is owned by DAMIANO. Information re incooperation of Mature Enterprises Incorporated, Mature Pictures, Incorporated, Aquarius Releasing, Inc., Bryanston Distributors Incorporated and Damiano Film Productions Incorporated set forth. Results of FBI Lab handwriting comparison examinations re [REDACTED] and [REDACTED] set forth. Record of 16mm and 35mm prints of "Deep Throat", produced by A.F.C. Color Lab, NY, NY for DAMIANO during period 6/19/72 through 12/5/72 set out.

-P-

NY 145-3400

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RECORD OF 16MM AND 35MM PRINTS OF
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PRINT OF "DEEP THROAT" IN CUSTODY OF
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[REDACTED]
[REDACTED] PRODUCED
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NY 145-3400

INFORMATION RE OBTAINING OF ORIGINAL
VOYAGER MOTEL, NORTH MIAMI, FLORIDA,
REGISTRATION CARDS [REDACTED] DATED
JANUARY 11, 1972 AND [REDACTED] DATED
JANUARY 18, 1972, CONTAINING SIGNATURE
OF [REDACTED]

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/8/73b6
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[redacted] attorney with the law firm of Wicker, Smith, Pysska, Blomquist and Davant, Disqayne Building, 10 West Flagler Street, furnished the following two described items, which had been contained in the files of that law firm:

1. Original guest registration card of the Voyager Motel, North Miami, Florida, [redacted] dated 1/18/72, in the name [redacted]
2. Original guest registration card of the Voyager Motel, North Miami, Florida, [redacted] dated 1/11/72, in the name [redacted]

A receipt for the above two items was furnished to [redacted] by SA [redacted]

[redacted] requested that the above described two items be returned to the above identified law firm when they are no longer required by the Federal Bureau of Investigation.

[redacted] stated that the law firm with which he is associated is currently representing an insurance company, which company wrote an insurance policy providing various types of insurance coverage to the Voyager Motel, North Miami. He stated that the motel is named as a defendant in a civil suit for damages, filed by a private person, in connection with that person having been depicted in the motion picture film entitled, "Deep Throat". The person filing the suit was formerly an employee of the Voyager Motel.

Interviewed on 7/31/73 at Miami, Florida File # Miami 145-1000

by SA [redacted] /pap Date dictated 8/6/73

NY 145-3400

RESULTS OF INVESTIGATION CONDUCTED BY THE
JACKSONVILLE OFFICE OF THE FEDERAL BUREAU
OF INVESTIGATION (FBI) AT THE DEPARTMENT OF
MOTOR VEHICLES AND CORPORATE RECORDS DIVISION,
SECRETARY OF STATES OFFICE, BOTH TALLAHASSEE,
FLORIDA, RE

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JJD:jtc

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NY 145-3400

By communication dated August 6, 1973, the Jacksonville Office of the Federal Bureau of Investigation (FBI) advised as follows:

On August 2, 1973, Mr. JOHN CALVIN, Director, Department of Motor Vehicles, Tallahassee, Florida, made available the original Florida Department of Motor Vehicles body file regarding 1971 Pontiac. VIN [redacted] currently titled to [redacted] [redacted] Florida, under Florida title number [redacted] issued April 15, 1971. The latter document contains the signature of [redacted] b6 b7C

On August 2, 1973, [redacted] Driver's License Bureau, Tallahassee, Florida, advised that she was unable to locate a driver's license in her files identifiable with [redacted]

On August 1, 1973, [redacted] Corporation Records Division, Secretary of States Offices, Tallahassee, Florida, advised Regal Fashions Incorporated is currently incorporated in the State of Florida.

[redacted] advised that Regal Fashions Incorporated was incorporated in the State of Florida on August 15, 1970, with the principle place of business listed as 247 Northwest 25th Street, Miami, Florida. She advised that ANTHONY PERANIO, Miami, Florida, is listed as president of this corporation and JESUSA R. ARELLANO, Miami, Florida, is listed as secretary-treasurer.

NY 145-3400

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VOTERS REGISTRATION RECORDS FOR BROWARD
COUNTY, FLORIDA NEGATIVE RE [REDACTED]
[REDACTED] AS OF AUGUST 9, 1973

JJA:jtc

1.

NY 145-3400

By communication dated August 22, 1973, the Miami Office of the Federal Bureau of Investigation (FBI) advised as follows:

On August 9, 1973, Special Clerk (SC) [redacted] caused a check to be made of voters' registration records for Broward County, Florida, through [redacted] Supervisor of Elections, Fort Lauderdale, Florida, concerning [redacted] [redacted] with negative results.

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NY 145-3400

STIPULATION OF FACT FILED BY DEFENSE COUNSEL
IN UNITED STATES DISTRICT COURT, DISTRICT
OF MASSACHUSETTS ADMITTING PRINT OF "DEEP
THROAT" SEIZED BY UNITED STATES CUSTOMS AT
BOSTON ON MARCH 16, 1973 OWNED BY DAMIANO
FILM PRODUCTIONS, INCORPORATED (DAMIANO)

145-5049

JJM:jtc

1.

NY 145-3400

By communication dated August 8, 1973, the Boston Office of the Federal Bureau of Investigation (FBI) made available a copy of the Stipulations of Fact filed in the Federal District Court, Boston, Massachusetts, relative to the ownership of the print of the motion picture film entitled, "Deep Throat" seized by United States Customs at Boston, Massachusetts, March 16, 1973, which reads as follows:

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

THE FILM "DEEP THROAT"

CIVIL ACTION NO.
(Miscellaneous)
73-54-M

STIPULATIONS OF FACT

It is hereby stipulated by and between the parties to this action as follows:

1. That the subject of this action is a film on three reels, more or less, entitled, "Deep Throat", and its container, which are marked as plaintiff's exhibit one.

2. That the said film and container were imported into the United States from Canada, a foreign nation, via Logan Airport at Boston, in the District of Massachusetts, on or about March 13, 1973, by Sack Theatres Corporation of 539 Washington Street, Boston, Massachusetts.

3. That the said film is owned by Gerard Damiano Film Productions, Incorporated, of 630 Ninth Avenue, New York, New York, the claimant herein.

4. That the said film was seized on or about March 16, 1973, by duly authorized officers of the United States Customs

JJM:jtc

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NY 145-3400

Service under the procedures required by 19 U.S.C. §1305 and other relevant federal law, and that said seizure took place at Boston, Massachusetts.

5. That the film "Deep Throat" viewed by the expert witnesses testifying herein on behalf of the plaintiff and defendant is the same film marked herein as plaintiff's exhibit one, or identical to plaintiff's exhibit one.

JAMES N. GABRIEL
United States Attorney

BY
FREDERIC R. KELLOGG
Assistant U. S. Attorney

JOHN J. CROWLEY, JR., ESQUIRE
Counsel for Defendant

NY 145-3400

INFORMATION CONTAINED IN INCORPORATION RECORDS
ON FILE AT DEPARTMENT OF STATE, ALBANY, NEW YORK
RE MATURE ENTERPRISES, INCORPORATED, MATURE
PICTURES, INCORPORATED, AQUARIUS RELEASING,
INCORPORATED, BRYANSTON DISTRIBUTORS, INCORPORATED
AND DAMIANO FILM PRODUCTIONS, INCORPORATED

JJM:jtc

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NY 145-3400

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By communication dated August 21, 1973, the Albany Office of the Federal Bureau of Investigation (FBI) advised as follows:

On August 20, 1973, Special Clerk (SC) [redacted] contacted the New York Department of State, Corporation Section, concerning certified copies of incorporation records pertaining to Mature Enterprises Incorporated, Mature Pictures Incorporated, Aquarius Releasing Incorporated, Bryanston Distributors Incorporated and Damiano Film Productions Incorporated.

On December 11, 1972, Mature Pictures Incorporated filed a certificate of incorporation with the State of New York. A copy of this certificate of incorporation is attached hereto.

On April 7, 1972, Mature Enterprises Incorporated received a certificate of incorporation do to business in the State of New York. A copy of this certificate of incorporation is attached hereto.

On April 10, 1970, a certificate of incorporation was filed for Aquarius Releasing Incorporated. A copy of this certificate of incorporation is attached hereto.

On July 16, 1971, a certificate of incorporation was filed by Bryanston Distributors Incorporated. A copy of this certificate of incorporation is attached hereto.

On March 5, 1971, a certificate of incorporation was filed by Gerard Damiano Film Productions Incorporated. A copy of this certificate of incorporation is attached hereto.

The New York Department of State, Corporation Section, advised there is no record concerning Cue Enterprises Incorporated or World Theatre Incorporated.

A 33877 4

Certificate of Incorporation

of

MATURE PICTURES, INC.

under Section 402 of the Business Corporation Law

*2
12/11
1/2/10*

**Filed By: KASSNER & DETSKY
ATTORNEYS AT LAW**

Office and Post Office Address

350 FIFTH AVENUE

NEW YORK, NEW YORK 10001

**TELE: (212) 554-1100
DEPARTMENT OF STATE**

TAX \$

FILED \$

FILED DEC 11 1972

John P. Driscoll

Secretary of State

✓
By

P. J. King

State of New York }
Department of State }

24485

I hereby certify that I have compared the annexed copy with the original document filed by the Department of State and that the same is a correct transcript of said original.

WITNESS my hand and seal of the Department of State on

AUG 8 1973

John P. Lomenzo
Secretary of State

662 504

A 33877

SERVICO

Certificate of Incorporation of

MATURE PICTURES, INC.

under Section 402 of the Business Corporation Law

IT IS HEREBY CERTIFIED THAT:

(1) The name of the proposed corporation is MATURE PICTURES, INC.

(2) The purpose or purposes for which this corporation is formed, are as follows, to wit:

SALE, PURCHASE, ACQUISITION, MANUFACTURE, PRODUCTION, DISTRIBUTION,

EXHIBITION OF MOTION PICTURE FILMS AND PERFORMING ALL OF THE FUNCTIONS INCIDENTAL

THERE TO.

Corporation, in furtherance of its corporate purposes above set forth, shall have all of the powers
ated in Section 202 of the Business Corporation Law, subject to any limitations provided in the Business
Law or any other statute of the State of New York.

(3) The office of the corporation is to be located in the CITY

(city) (town) (incorporated village)

of NEW YORK

County of

NEW YORK State of New York.

(4) The aggregate number of shares which the corporation shall have the authority to issue is

200 SHARES NO PAR VALUE COMMON STOCK

2

(5) The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is

C/O KASSNER & DETSKY
ATTORNEYS AT LAW
350 FIFTH AVENUE
NEW YORK, NEW YORK 10001

The undersigned incorporator, or each of them if there are more than one, is of the age of twenty-one years or over.

IN WITNESS WHEREOF, this certificate has been subscribed this 12 day of December 1970 by the undersigned who affirm(s) that the statements made herein are true under the penalties of perjury.

SANDRA M. RIPSON

Type name of incorporator

335 WEST 21ST STREET

NEW YORK, NEW YORK

Address

Signature

Type name of incorporator

Signature

Address

Type name of incorporator

Signature

Address

3

979888

Certificate of Incorporation

of

MATURE ENTERPRISES, INC.

under Section 402 of the Business Corporation Law

Filed By: **KASSNER & DETSKY**
Attorneys at Law

Office and Post Office Address

350 FIFTH AVENUE
NEW YORK, NEW YORK 10001

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED APR 7 - 1972

TAX \$ 10
FILING FEE \$ 30

John P. Linn, Jr.

Secretary of State

P3 ny

24486

State of New York }
Department of State } SS.:

*I hereby certify that I have compared the annexed copy with the original document filed by the Department of State
and that the same is a correct transcript of said original.*

WITNESS my hand and seal of the Department of State on

AUG 8 1973

John P. Lomenzo
Secretary of State

662-504

979888

Certificate of Incorporation of

MATURE ENTERPRISES, INC.

under Section 402 of the Business Corporation Law

INFO 3

IT IS HEREBY CERTIFIED THAT:

(1) *The name of the proposed corporation is* MATURE ENTERPRISES, INC.

(2) *The purpose or purposes for which this corporation is formed, are as follows, to wit:*

To own, lease, operate and manage theatres for the exhibition of motion pictures and live theatrical performances.

The corporation, in furtherance of its corporate purposes above set forth, shall have all of the powers enumerated in Section 202 of the Business Corporation Law, subject to any limitations provided in the Business Corporation Law or any other statute of the State of New York.

(3) The office of the corporation is to be located in the City (city) (town) (incorporated village)
of New York County of New York State of New York.

(4) The aggregate number of shares which the corporation shall have the authority to issue is 200
shares no par

(5) The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is

Kassner & Detsky, Esqs.
350 Fifth Avenue
New York, New York 10001

The undersigned incorporator, or each of them if there are more than one, is of the age of twenty-one years or over.

IN WITNESS WHEREOF, this certificate has been subscribed this 5th day of April 1972 by the undersigned who affirm(s) that the statements made herein are true under the penalties of perjury.

Sandra Ripson

Type name of incorporator

Signature

125 Riverside Drive, New York, New York

Address

Type name of incorporator

Signature

Address

Type name of incorporator

Signature

Address

Certificate of Incorporation

of

AQUARIUS RELEASING, INC.

under Section 402 of the Business Corporation Law

34/10 9-10

Filed By: Bryda & Blumenfeld
186 Joralemon Street
Brooklyn, New York 11201

Office and Post Office Address

826655 - 4

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED APR 10 1970
TAX \$ 10
FILING FEE \$ 50

John P. Zimmerman

Secretary of State

By *MB*
P-3174

4

24483

State of New York }
Department of State } SS.

I hereby certify that I have compared the annexed copy with the original document filed by the Department of State
and that the same is a correct transcript of said original.

WITNESS my hand and seal of the Department of State on

AUG 8 1973

John P. Lomenzo
Secretary of State

662 504

Certificate of Incorporation of

AQUARIUS RELEASING, INC.

under Section 402 of the Business Corporation Law

IT IS HEREBY CERTIFIED THAT:

(1) The name of the proposed corporation is

Aquarius Releasing, Inc.

(2) The purpose or purposes for which this corporation is formed, are as follows, to wit:

To produce, own, lease, purchase, exhibit, represent, license, sell, distribute, acquire, and otherwise deal in and with scenarios and moving pictures, theatrical and non-theatrical, ~~and~~ to represent as agents and otherwise, owners, managers, other agents, lessees and proprietors of scenarios and moving pictures, ~~and~~ and to license others to produce, lease, exhibit, present, represent, license, sell, and otherwise deal in theatrical and non-theatrical scenarios and moving pictures, ~~and~~ to acquire, hold sell, assign, convey, set over and transfer, and otherwise deal in copyrighted and uncopyrighted scenarios and stories, sketches, ~~and~~ and more particularly for the dealing in and with moving pictures, theatrical and non-theatrical as those terms are understood in the theatrical profession.

To engage and employ actors, writers, performers and any other persons necessary for the furtherance of business. To acquire copyrights, rights of representation, licenses, and privileges of any sort likely to be conducive to the objects of the corporation, and to employ persons to write, compose or invent scenarios, screen plays, and movie pictures, and to remunerate such persons, and print or publish any scenario, screen play or story or words of which the corporation may have a right to publish or have a copyright, and to sell, distribute, and deal with any matter as the corporation may see fit and to grant licenses or rights in respect to any property of the corporation, to any other firm, person or corporation.

The corporation, in furtherance of its corporate purposes above set forth, shall have all of the powers enumerated in Section 202 of the Business Corporation Law, subject to any limitations provided in the Business Corporation Law or any other statute of the State of New York.

(3) The office of the corporation is to be located in the

City
(city) (town) (incorporated village)

of New York

County of New York

State of New York.

(4) The aggregate number of shares which the corporation shall have the authority to issue is

200 shares No par value

~~The~~ Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is

228 West 42 Street
New York, New York 10036

The undersigned incorporator, or each of them if there are more than one, is of the age of twenty-one years or over.

IN WITNESS WHEREOF, this certificate has been subscribed this 13 day of March 1970 by the undersigned who affirm(s) that the statements made herein are true under the penalties of perjury.

TERRY LEVINE

Type name of incorporator

6 West 87 Street, New York, N.Y. 10024

Address

Type name of incorporator

Address

Type name of incorporator

Address

Signature

Signature

Signature

921394 - 4

Certificate of Incorporation

of

Bryanston Distributors, Inc.

under Section 402 of the Business Corporation Law

57/15

1910

Filed By: ...

Berton Goldwater, Esq.

Office and Post Office Address

220 Fifth Ave.

New York, N.Y.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED JUL 16 1971

TAX \$ 10
FILING FEE \$ 52

John P. Lomax

Secretary of State

P. L. Kings

4

State of New York }
Department of State }

24489

I hereby certify that I have compared the annexed copy with the original document filed by the Department of State
and that the same is a correct transcript of said original.

WITNESS my hand and seal of the Department of State on

AUG 8 1973

John P. Lorenzo
Secretary of State

R 662-504

921394

Certificate of Incorporation of

Bryanston Distributors, Inc.

under Section 402 of the Business Corporation Law

IT IS HEREBY CERTIFIED THAT:

(1) The name of the proposed corporation is
Bryanston Distributors, Inc.

(2) The purpose or purposes for which this corporation is formed, are as follows, to wit:

To engage in the business of storage of manufactured products, machinery and boxes, to lease property and or purchase property, to hire employees and engage in all those activities necessary to accomplish the successful operation of the aforesaid business. TO purchase raw stock film, to process said film and to rent and/or purchase machinery used in the process, and development of film in all its stages and to transmit and ship said film.

The corporation, in furtherance of its corporate purposes above set forth, shall have all of the powers enumerated in Section 202 of the Business Corporation Law, subject to any limitations provided in the Business Corporation Law or any other statute of the State of New York.

(5) The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is .

933 East 51st. Street Brooklyn, New York

The undersigned incorporator, or each of them if there are more than one, is of the age of twenty-one years or over.

IN WITNESS WHEREOF, this certificate has been subscribed this 12th day of JULY 1971, by the undersigned who affirm(s) that the statements made herein are true under the penalties of perjury.

ORONZIO SILVESTRE

Type name of incorporator

Oronzio Silvestre

Signature

190 GRAND STREET, N.Y.N.Y.

Address

CAROL CHALFIN

Type name of incorporator

Carol Chalfin

Signature

890 S Ave B Bklyn, N.Y.

Address

VINCENT DE STEFANO

Type name of incorporator

Vincent De Stefano

Signature

1376 76TH STREET, BROOKLYN, N.Y.

Address

3

(3) The office of the corporation is to be located in the City of (city, town or incorporated village)
of New York County of ~~Kings~~ State of New York.

(4) The aggregate number of shares which the corporation shall have the authority to issue is
One hundred (100) Shares with a Par Value of One Dollar (1.00) each.

Certificate of Incorporation

of

GERARD DAMIANO FILM PRODUCTIONS, INC.

under Section 402 of the Business Corporation Law

53/4

18 10 -

Filed By:

BERTON GOLDWATER, ESQ.

892300-24

Office and Post Office Address

220 Fifth Avenue
New York, New York 10001

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED MAR 5 1971

TAX \$ 10
FILING FEE \$ 50

John P. Tomlin

Secretary of State

P31 New York

4

24481

State of New York }
Department of State }

I hereby certify that I have compared the annexed copy with the original document filed by the Department of State
and that the same is a correct transcript of said original.

WITNESS my hand and seal of the Department of State on

AUG 8 1973

John P. Lomenzo
Secretary of State

662 504

892300

Copyright 1955 by JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS
80 Exchange Place, NEW YORK, NEW YORK

Certificate of Incorporation of
GERARD DAMIANO FILM PRODUCTIONS, INC.

under Section 402 of the Business Corporation Law

IT IS HEREBY CERTIFIED THAT:

(1) *The name of the proposed corporation is* GERARD DAMIANO FILM PRODUCTIONS, INC.

(2) *The purpose or purposes for which this corporation is formed, are as follows, to wit:*

To engage in the business of writing, publishing, manufacturing and or producing books, films, records, periodicals, magazines or other literary works. To represent and or manage and employ artists engaged in these fields. To purchase and or rent and hire such real estate, devices and machines necessary to engage in the aforementioned endeavors and to do all those things attendant upon achieving the purposes for which the corporation is created.

The corporation, in furtherance of its corporate purposes above set forth, shall have all of the powers enumerated in Section 202 of the Business Corporation Law, subject to any limitations provided in the Business Corporation Law or any other statute of the State of New York.

(3) The office of the corporation is to be located in the

City

(city) (town) (incorporated village)

of New York

County of

New York

State of New York.

(4) The aggregate number of shares which the corporation shall have the authority to issue is

One Hundred (100) shares with a par value of One Dollar (\$1.00) each.

2

(5) The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is

251 West 42nd Street, New York, New York 10018

The undersigned incorporator, or each of them if there are more than one, is of the age of twenty-one years or over.

IN WITNESS WHEREOF, this certificate has been subscribed this 26th day of February 1971.
by the undersigned who affirm(s) that the statements made herein are true under the penalties of perjury.

Gerard Damiano

Type name of incorporator

Gerard Damiano

Signature

30-20 75th Street, Jackson Heights, Queens, N.Y.

Address

Louis Peraino

Type name of incorporator

Louis Peraino

Signature

933 East 51st Street, Brooklyn, New York

Address

Vincent DeStefano

Type name of incorporator

Vincent DeStefano

Signature

1376 76th Street, Brooklyn, New York

Address

3

NY 145-3400

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MOTOR VEHICLE REGISTRATION AND LICENSING DATA
RE [REDACTED] AND [REDACTED] ON FILE
AT NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES
ALBANY, NEW YORK.

JJM:jtc

1.

NY 145-3400

By communication dated August 21, 1973, the Albany Office of the Federal Bureau of Investigation (FBI) advised as follows:

On August 20, 1973, Special Clerk (SC) [redacted] [redacted] contacted the New York State Department of Motor Vehicles, Visual Unit, Albany, New York, concerning either a New York State driver's license or vehicle registration listed to any one of the following individuals:

[redacted]

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Records at the latter department contain the following information:

[redacted] born [redacted] residing at [redacted] Brooklyn, New York [redacted] is described as having blue eyes, 5 feet 6 inches tall. Department of Motor Vehicles advised that the records for 1968 have since been destroyed.

No record of New York State driver's license or vehicle registration issued to [redacted]

New York State Division of Motor Vehicles records show there was a New York State driver's license and vehicle registration issued to [redacted] born [redacted] and residing at [redacted] New York.

JJM:jtc

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NY 145-3400

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On August 27, 1973, [redacted] Clerk, New York State Department of Motor Vehicles, Albany, New York, advised Special Clerk (SC) [redacted] from records, that [redacted] born [redacted] and residing at [redacted] New York, has operators license number [redacted] 15 with expiration date shown as June 30, 1974. These records also show that a 1969 Buick sedan VIN number [redacted] and bearing New York license plate [redacted] is registered to [redacted] born [redacted] and residing at [redacted] New York.

These records also show that [redacted] born [redacted] and residing at [redacted] Brooklyn New York, [redacted]

NY 145-3400

RESULTS OF HANDWRITING COMPARISON EXAMINATIONS
CONDUCTED BY THE FBI LABORATORY RE [REDACTED]
[REDACTED] AND [REDACTED]

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NY 145-3400

By communication, dated August 31, 1973, the Federal Bureau of Investigation (FBI) Laboratory, Washington, D.C. made available the attached document examination:

NY 145-3400

RECORD OF 16MM AND 35MM PRINTS OF
"DEEP THROAT" PRODUCED BY AFC COLOR
LAB, NEW YORK, NEW YORK FOR DAMIANO
DURING PERIOD OF JUNE 19, 1972 THROUGH
DECEMBER 5, 1972

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/7/73

[redacted] of
Scotchwood Quality Services, Incorporated, (SQS), 533
West 47th Street, New York, New York, business telephone
number 541-5070, was interviewed at the latter location,
at which time he advised as follows:

In 1968, SQS was known as Manchester Film Labs
(Manchester). In 1970 Manchester was taken over by Trans
Communications, Incorporated. In September, 1971, Trans
Communication, Incorporated, became AFC Color Labs, a
Division of IBC Industries, Incorporated, which firm in
April, 1973, became SQS, Incorporated. CAVELLI was President
of Manchester, General Manager at IBC Industries, and cur-
rently President and sole owner of SQS, Incorporated.

[redacted] has known JERRY DAMIANO in the film
industry for approximately the past five or six years.
It is his recollection that sometime around the early
part of 1972 DAMIANO approached him at AFC Color Labs
(AFC) to make 35 millimeter prints of the motion picture
film entitled "Deep Throat". It is also his recollection
that DAMIANO furnished him with the negative of "Deep
Throat" to make the positive prints, and at that time
told him that "Deep Throat" was a "Girlie Film" or a
"Skin Flick". He believed AFC made approximately thirty-
five to forty 35 millimeter prints of "Deep Throat", all
of which were either picked up at AFC by a representative
of Damiano Film Productions, Incorporated, 10th Floor, 630
Ninth Avenue, New York, New York (Damiano), or delivered
to Damiano by AFC. He believes DAMIANO still owes IBC
Industries, Incorporated, monies for some of the prints
of "Deep Throat" made by AFC in 1972, and the matter is
presently in litigation.

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[redacted] stated he will contact the attorneys
handling the litigation against DAMIANO and obtain xerox

Interviewed on 9/6/73 at New York, New York File # NY 145-3400

by SA [redacted] kxs Date dictated 9/7/73

NY 145-3400

copies of pertinent AFC Invoices showing prints of "Deep Throat" made by AFC and make them available to the reporting Agent.

He went on to state that AFC also did two other films for Damiano, both of which were horror films. One was entitled "Blood" and the other was entitled "Legacy of Satan". During the period of time that AFC was making prints of the films "Deep Throat", "Blood" and "Legacy of Satan", he had occasion to visit the office of Damiano at 630 Ninth Avenue, New York, New York, on quite a few occasions. On these occasions he would usually meet with [redacted] and/or [redacted] who were associated in some way with Damiano, possibly as officers of the Damiano Corporation. These meetings were strictly business meetings and at no time, to the best of his recollection, did they ever discuss the content of any of the previously mentioned three motion picture films.

[redacted] was exhibited the following photographs for his possible identification:

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[redacted]
Federal Bureau of Investigation
(FBI) Number [redacted]

[redacted]
FBI Number [redacted]

[redacted]
New York City Police Department
(NYCPD) B Number [redacted]

[redacted]
NYCPD B Number [redacted]

[redacted]
NYCPD B Number [redacted]

NY 145-3400

[redacted]
NYCPD B Number [redacted]

[redacted]
NYCPD B Number [redacted]

[redacted]
NYCPD B Number [redacted]

[redacted]
NYCPD B Number [redacted]
[redacted]

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After viewing each photograph [redacted] advised that the individual appearing in the photograph of [redacted] is identical with the person known to him as [redacted]. Also, he said that the individual appearing in the photograph of [redacted] looks a great deal like the individual who had the male lead in the motion picture film entitled "Deep Throat". Furthermore, he said that the individual with the cigar in his mouth appearing in the photograph of [redacted] is identical with [redacted].
[redacted]

The individuals appearing in the other seven photographs exhibited to [redacted] are unknown to him.

Concerning [redacted] [redacted] advised that he met [redacted] approximately three or four times in the office of Damiano Film Productions, Incorporated, at 630 Ninth Avenue, New York, New York, during that period of time in 1972 that AFC was doing work on the prints "Deep Throat", "Blood" and "Legacy of Satan". Also, he recalls that on one occasion he joined several business associates for lunch at the Delsomma Restaurant on West 47th Street, New York, New York, and was somewhat surprised upon entering the restaurant to see [redacted] already

NY 145-3400

seated and talking with these business associates. He has no idea what [] and these business associates were discussing and had no conversation, to the best of his recollection, with [] on this date.

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[] stated that he has no knowledge of the corporate structure of Damiano Film Productions, Incorporated, and has no idea as to what part, if any, [] plays in the everyday functioning of the latter corporation.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription **9/14/73**

[redacted]
[redacted]
[redacted] **New York, New York, business telephone**
number [redacted] pursuant to a subpoena duces tecum, made
available to the reporting Agent the attached xerox copies
of [redacted]
[redacted]

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Interviewed **9/11/73** at **New York, New York** File # **NY 145-3400**

by SA **[redacted]** :kxs Date dictated **9/13/73**

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

NY 145-3400

PRINT OF "DEEP THROAT" IN CUSTODY OF
PROPERTY CLERK'S OFFICE, NEW YORK CITY
POLICE DEPARTMENT (NYCPD), HAS VOUCHER
NUMBER 73M07400

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/14/73

Patrolman [redacted] New York City
Police Department (NYCPD), Shield Number [redacted] telephone
number [redacted] advised that the print of the motion
picture film entitled "Deep Throat", in custody of the
Property Clerks Office, NYCPD, has Property Clerk Voucher
Number 73M07400.

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Interviewed on 9/13/73 at Telephonic File # NY 145-3400

by SA [redacted] :kxs Date dictated 9/14/73

NY 145-3400

b6
b7C

RESULTS OF INTERVIEW OF [REDACTED]
O [REDACTED] BONDED FILM STORAGE
COMPANY, INCORPORATED, FORT LEE, NEW JERSEY,
RE SHIPPING INSTRUCTIONS FOR FILM, "DEEP THROAT"

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/28/73

[redacted] Bonded Film Storage Company, Incorporated, 550 Main Street, Fort Lee, New Jersey (Bonded), appeared at the office of the Strike Force, Eastern District of New York (EDNY) at which time he advised as follows:

Shipping instructions relative to the motion picture film entitled, "Deep Throat" were received at Bonded from Aquarius Releasing, Incorporated (Aquarius) and/or Damiano Film Productions, Incorporated (Damiano) in one of two ways. First, all advance booking for the picture were sent to Bonded on a Shipping Sheet prepared by Aquarius and/or Damiano. Secondly, the shipping instructions may have been received by a Bonded employee from either Aquarius or Damiano telephonically in which instance the Bonded employee would have prepared the Shipping Sheet. In regard to shipping instructions telephonically received at Bonded from Aquarius, it would be [redacted] or his secretary [redacted] who would furnish such instructions. In regard to Damiano it would be [redacted]

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He stated that a number of his employees could have received shipping instructions telephonically from any one of the above-mentioned individuals; however, he feels quite confident that none of the these individuals would have discussed the content of the motion picture film entitled, "Deep Throat" or any other motion picture film with the Bonded employees at any time since this is just not done in the trade.

[redacted] was exhibited a copy of Pick-Up Sheet, dated June 8, 1972, and requested to examine the last entry on this document. [redacted] after examining this entry advised that he believes the handwriting is that of one of his [redacted]

[redacted] added that he has met with and has had telephonic contact with [redacted] on numerous occasions and at no time have they ever discussed the content of any motion picture film in which they had a mutual interest.

Interviewed on 9/19/73 at Brooklyn, New York File # NY 145-3400

by SA [redacted] :cer Date dictated 9/25/73

NY 145-3400

[REDACTED]

b3

PRODUCED

PURSUANT TO A SUBPOENA DUCES TECUM

JJM:kjp

1.

NY 145-3400

Pursuant to a subpoena duces tecum issued by the
Federal District Court, Eastern District of New York
(FDC, EDNY) on July 16, 1973, and served by the writer on
the person of [REDACTED]

b3
b6
b7C

[REDACTED] on same date, [REDACTED]
[REDACTED] made available to FDC, EDNY,
on September 21, 1973, the attached [REDACTED]
[REDACTED]
[REDACTED]

FBI

Date: 11/15/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (145-5049)

FROM: SAC, NEW YORK (145-3400) (P)

SUBJECT: PUBLIC SHOWING OF MOTION
PICTURE FILM ENTITLED,
"DEEP THROAT"; DIRECTOR,
GERARD DAMIANO aka;
ET AL
ITOM-CONSPIRACY; AR
(OO:NY)

b6
b7c

Rerep of SA [] at NY, 11/12/73.

It has come to the attention of the NYO that GERARD DAMIANO, a cooperative government witness in captioned case, is being subpoenaed to testify for the government at numerous contemplated trials in various Federal district courts throughout the country, despite the fact that he offers no direct testimony relative to the interstate transportation of the motion picture film entitled, "Deep Throat".

- 3 - Bureau
(1 - 92-6701)
- 2 - Albany
 - 2 - Boston (145-602)
 - 2 - Chicago (145-847)
 - 2 - Denver
 - 2 - Detroit (145-709)
 - 2 - Houston (145-373)
 - 2 - Kansas City (145-366)
 - 2 - Jacksonville (145-352)
 - 2 - Las Vegas (145-190)
 - 2 - Los Angeles (145-1851)
- COPIES CONTINUED PAGE 2
- 1 - New York (92-2681)
 - 1 - New York

REC-39

EX-117

7 NOV 18 1973

NOV 20 1973

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

UNRECORDED COPY FILED IN

NY 145-3400

AUSA's, EDNY, and SDNY, are very much concerned that if this trend continues, it may very well jeopardize the successful organized crime prosecution aspect of this investigation.

All offices receiving a copy of this communication will immediately contact the AUSA handling "Deep Throat" prosecution to insure DAMIANO's testimony is not being used merely for publicity purposes or as the "frosting on the cake" to an already successful prosecution without the DAMIANO testimony.

COPIES (Cont'd)

- 2 - Louisville (145-286)
- 3 - Miami (145-1000)
(1 - 92-6204)
- 2 - Milwaukee (145-349)
- 2 - Newark (145-1267)
- 2 - Norfolk (145-185)
- 2 - Phoenix (145-372)
- 2 - Tampa (145-379)

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 88

Page 49 ~ b3, b6, b7C
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Page 51 ~ b3, b6, b7C
Page 52 ~ b3, b6, b7C
Page 53 ~ b3, b6, b7C
Page 73 ~ b3, b6, b7C
Page 74 ~ b3, b6, b7C
Page 75 ~ b3, b6, b7C
Page 76 ~ b3, b6, b7C
Page 77 ~ b3, b6, b7C
Page 78 ~ b3, b6, b7C
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Page 84 ~ b3, b6, b7C
Page 85 ~ b3, b6, b7C
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Page 89 ~ b3, b6, b7C
Page 90 ~ b3, b6, b7C
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Page 246 ~ b3, b6, b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MILWAUKEE	OFFICE OF ORIGIN MILWAUKEE	DATE 3/16/73	INVESTIGATIVE PERIOD 2/12/73 - 3/14/73
TITLE OF CASE CHANGED UNKNOWN SUBJECTS; aka; TRANSPORTATION OF FILM "DEEP THROAT" FROM NEW YORK CITY TO MILWAUKEE, WISCONSIN 12/22 - 24/72		REPORT MADE BY SA [redacted]	TYPED BY gmp
		CHARACTER OF CASE ITOM	b6 b7C

Title marked "CHANGED" to particularize the investigation at hand.

REFERENCES

145-5856-17

Milwaukee nitel to Chicago dated 2/12/73 (IO);
 Milwaukee nitel to Chicago dated 2/14/73 (IO);
 Milwaukee teletype to New York dated 2/15/73 (IO);
 Chicago letter to Milwaukee dated 2/20/73 (IO);
 Milwaukee airtel to Bureau dated 2/21/73;
 Milwaukee telephone call to New York (SA [redacted])
 2/22/73;
 Milwaukee airtel to Chicago dated 3/2/73 (IO);

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
					None	PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 2 - BUREAU (Encl. 1) (RM)
 1 - USA, MILWAUKEE
 2 - CHICAGO (145-847) (RM)
 3 - NEW YORK (RM)
 2 - MILWAUKEE (145-349)

10 MAR 22 1973

MCT-40

REC-34

Dissemination Record of Attached Report

Agency	100-6 APG (Crim) & 1 affidavit
Request Recd.	NAT/gg
Date Fwd.	3-23-73
How Fwd.	
By	

Notations

DATA PROC

61 MAY 22 1973

COVER PAGE

No action re 145-0-1969 (to be
changed to 145-5056. Encl/MLW
5/21/73

INCONS APR 2 - 1973
out Cons. 5/21/73

Hand to Encl 3/2 (50)

MI 145-349

REFERENCES. (CONTINUED)

Milwaukee Nitel to the Bureau, 3-6-73 ^{145-5051-39X}
Chicago letter to Milwaukee, 3-9-73 (IO)

- P -

ENCLOSURE

Enclosed for the Bureau is one (1) copy of the affidavit (which is marked "Obscene") prepared by SA [redacted] and filed before U.S. Magistrate, Milwaukee, Wisconsin, on 2-23-73 regarding investigation into the motion picture entitled "Deep Throat."

b6
b7C

ADMINISTRATIVE

Pages 6 through 9 of this report, which is an FD-302 reflecting a survey of the motion picture "Deep Throat," is marked "Obscene" and has been placed in a sealed envelope.

USA DAVID J. CANNON, who is cooperating fully in the prosecution of this matter, has advised he plans to receive indictments from the April Session of the Federal Grand Jury (FGJ). Milwaukee, for [redacted]

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b7C

USA CANNON intends to direct his prosecutive efforts toward [redacted]

COVER PAGE

- B -

MI 145-349

Chicago indices reflect a [redacted]
who may possibly be identical to [redacted]
[redacted] with date of birth [redacted] at
[redacted] This indi-
vidual was subject of a Chicago investigation as he
[redacted]

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b7C

COVER PAGE

- C -

MI 145-349

LEADS

CHICAGO DIVISION

AT CHICAGO, ILLINOIS

Will conduct additional background investigation on [redacted] and [redacted] (referred to in referenced Milwaukee Nitel to Chicago. 2-12-73. as [redacted] noting address of [redacted] as a possible business address for all three individuals.

NEW YORK DIVISION

b6
b7c

AT NEW YORK CITY

Will determine if public records show that GERARD DAMIANO sold his interest in Gerard Damiano Film Productions, Incorporated, in New York during June, 1972, as reported by his attorney [redacted] in affidavit presented in Milwaukee before U.S. Magistrate on 3-6-73.

AT SPRINGFIELD GARDENS, NEW YORK

If obtainable, will retrieve the original of Novo Air Freight Corporation's Air Bill Number 1168302 from Novo Air Freight.

Will, at Novo Air Freight Corporation, 182-11 150 Rel., obtain information regarding the shipping of the film "Deep Throat" from New York by Novo Air Freight on 12-22-72 to Chicago under Novo Air Bill Number 1168302. It is noted the shipper on Air Bill Number 1168302 is listed as GERARD DAMIANO of 630 Ninth Avenue, New York City; and Bureau investigation must result in proof that DAMIANO had a hand in knowingly transporting this film to Chicago, and subsequently to Milwaukee, as his attorneys contend otherwise.

COVER PAGE

MI 145-349

MILWAUKEE DIVISION

AT MILWAUKEE, WISCONSIN

Will follow with USA regarding this matter.

COVER PAGE

- E* -

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, MILWAUKEE

Report of: SA [REDACTED]
Date: March 16, 1973

Office: MILWAUKEE

Field Office File #: MI 145-349

Bureau File #:

b6
b7CTitle: UNKNOWN SUBJECTS; aka;
TRANSPORTATION OF FILM "DEEP THROAT"
FROM NEW YORK CITY TO MILWAUKEE, WISCONSIN
DECEMBER 22 - 24, 1972

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Wisc. X Film "Deep Throat" surveyed by Bureau Agents, Milwaukee, Wisconsin, on 2/12/73. Film depicted hard-core obscenity, and it was subsequently determined film transported from New York City to Chicago, Illinois, by Novo Air Freight Corporation, 12/22-24/72 and then to Milwaukee. USA, EDW, Milwaukee, considering prosecution. Film surveyed for affidavit purposes, 2/14/73. Investigation determined Detco, Incorporated, a Wisconsin corporation, owns Parkway Theatre where the film was shown. On 2/23/73, USDJ, EDW, Milwaukee, refused to sign restraining order regarding "Deep Throat." Adversary hearing held 3/6/73, wherein U.S. Magistrate, EDW, Milwaukee, determined film obscene, and issued search warrant. Bureau Agents seized film strips of "Deep Throat." Film apparently removed prior to search of Parkway Theatre by Parkway management. On 3/13/73, witnesses regarding "Deep Throat" appeared before FGJ, Milwaukee. Witnesses will be called before April session, FGJ, Milwaukee. On 3/13/73, attorneys for Detco, Incorporated, filed motion for return of film cuts of "Deep Throat" seized by Bureau Agents from Parkway Theatre. Hearing scheduled on this motion April, 1973.

-P-

1A

MI 145-349

DETAILS:

PREDICATION

Investigation in this matter was predicated upon survey of the film "Deep Throat" by Bureau Agents on February 12, 1973, at the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin, at which time the Agents determined the film depicted hard-core obscenity and subsequently initiated investigation to determine whether the film had moved in interstate commerce in violation of the Interstate Transportation of Obscene Matter (ITOM) Statute.

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 2-23-73

Special Agents [redacted] and [redacted] made a preliminary survey of the film "Deep Throat," showing at the Parkway Theatre, 3417 West Lisbon Avenue, at 2 p.m., and observed the following:

The film was entitled "Deep Throat," as identified by the credits, and was written, produced, and directed by JERRY GERARD.

The film, which exhibited a plot dealing with a woman's inability to achieve sexual satisfaction through sexual intercourse, manifested scenes in which explicit acts of cumilingus, fellatio, analingus, and anal sodomy were depicted.

The movie "Deep Throat" was approximately 61 minutes in length, and approximately 60 percent of the content of the film was devoted to scenes involving explicit sexual acts.

b6
b7C

Interviewed on 2-12-73 at Milwaukee, Wisconsin File # MI 145-349

by SA [redacted] and SA [redacted] (CH:gmp) Date dictated 2-16-73

3

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 2-23-73

[redacted] Novo Air Freight Corporation, 4930 South Second Street, advised her records showed that Novo Air Freight transported the film "Deep Throat" from New York City to the Novo Air Freight facility at Elk Grove, Illinois, on December 22, 1972, under Novo Air Bill Number 1168302, where it was picked up on December 24, 1972.

A copy of Novo Air Bill Number 1168302 was provided by [redacted] which disclosed that the film "Deep Throat" was picked up by an individual who signed the Air Bill [redacted] for [redacted].

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b7c

Interviewed on 2-14-73 at Milwaukee, Wisconsin File # MI 145-349

SA [redacted] (CH:gmp)

2-16-73

by _____ Date dictated _____

- 4 -

MI 145-349

The following investigation was conducted by
Special Agent [REDACTED], at Milwaukee:

b6
b7c

On February 14, 1973, the facts regarding the film "Deep Throat" being shown at the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, were discussed with United States Attorney (USA) DAVID J. CANNON in his office.

USA CANNON was advised that, in the opinion of the Bureau Agents who made a preliminary viewing of the film on February 12, 1973, the movie "Deep Throat" meets the criteria for successful prosecution under the ITOM Statute as the film depicted hard-core obscenity; and it had been substantiated by the FBI that the film had moved in interstate commerce from New York City to Milwaukee on December 22-24, 1972.

USA CANNON expressed an interest to prosecute the matter regarding the film "Deep Throat" and requested that the FBI continue its investigation of the film. Mr. CANNON pointed out, however, that on October 28, 1972, United States District Judge (USDJ) MYRON L. GORDON, Eastern District of Wisconsin (EDW), in his opinion from United States of America vs. George Joseph Orito, rendered his decision that Title 18, United States Code (USC), Section 1462, is unconstitutional for it violates the First and Ninth Amendments to the Constitution. Mr. CANNON advised Judge GORDON feels that the ITOM Statute is over-broad as he has found no distinction between the private possession of obscene material which is protected by Stanley vs. Georgia 394 US 557 (1969) and the non-public transportation of such material. United States of America vs. Orito is currently pending before the United States Supreme Court, Docket Number 70-69.

Mr. CANNON further advised that in all probability his office would ultimately proceed with prosecution for violation of Sections 2, 371, 1462, and 1465 of Title 18, USC.

MI 145-349

The following investigation was conducted by
the Chicago Division:

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription February 20, 1973

[redacted] Novo
Airfreight, 2707 Coyle Avenue, Elk Grove Village, Illinois,
made available the following Novo bill:

Number 1168302 dated December 22, 1972,
reflected a shipment from GERARD DAMIANO, 630 9th Avenue,
New York, New York, to O'Hare Airport, Chicago, Illinois,
to be held at the airport for pickup in care of [redacted]
It was described as being one piece, weighing 50 pounds,
and was further described as Can Film, Deep Throat. b6
b7C

The total costs were \$18.50 collect and it was
paid for with cash on December 24, 1972. The shipment was
picked up by [redacted] for [redacted]

[redacted] advised that the original copy of
the airbill would normally be left with the shipper, DAMIANO,
and a copy would go to the consignee. One copy would be
maintained at her place of employment because that was the
destination point. A copy would also be on file at Novo
Airfreight Corporation, 182-11 150th Road, Springfield Gardens,
New York, the place where the shipment originated.

Another copy is maintained at their main office
at 6921 Castor Avenue, Philadelphia, Pennsylvania.

Interviewed on 2/15/73 at Elk Grove Village, Illinois File # CG 145-847
by SA [redacted] :CJW/tlb Date dictated 2/16/73
SA [redacted]

NOVO airfreight corp. 7

A SUBSIDIARY OF NOVO CORPORATION
P.O. BOX 7037 BLVD. STATION
PHILADELPHIA, PA. 19149

DESTINATION STATION

SHIPMENT IS FREIGHT
COLLECT OR LESS INDICATED

NON-NEGOTIABLE AIRBILL

Terms and Conditions on Reverse Side

CHECK

ONE

ACCTG.

NOVO NO.

1168302

TRF.

MINI

CARD	AIRLINE	QTY	AIRLINE AIRBILL NO.	ASSY.	DEST	VIA	DATE	FREIGHT TERMS	NOVO NO.	TRF. MINI
								<input type="checkbox"/> PREPAID <input checked="" type="checkbox"/> COLLECT <input type="checkbox"/> F.C.C.O.D. <input type="checkbox"/> O.D. <input type="checkbox"/> 3D PARTY	1168302	
SHIPPER'S DOOR	RECEIVED	NOVO SHIPPER NO.	SALES NO.	CONSIGNEE NO.	CONSIGNEE	ADDRESS		AIR CHARGE	RATE	
SHIPPER	TERMINAL								1250	
						CITY		PICKUP CHARGE	600	
						STATE		DELIVERY CHARGE	500	
						ZIP CODE		EXCESS VALUE CHARGE		
						ATTENTION				
NO. PIECES	WEIGHT	DESCRIPTION OF PIECES AND CONTENTS				SHIPPER'S REFERENCE NO.	ORIGIN: CONNECTING CARRIER CHARGE			
							DESTINATION: CONNECTING CARRIER CHARGE			
						TARIFF/COMMODITY	SHIPPER'S			
							C.O.D.			
							C.O.D. FEE AND/OR INS. CHG.	18.50		
IF FREIGHT TERMS OTHER THAN PREPAID OR COLLECT: ENTER BILLING NAME AND ADDRESS BELOW								TOTAL CHARGES \$		
								CHARGES COLLECTED		
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EXECUTED BY SHIPPER								CHECK		
EXECUTED BY NOVO								CASH		
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PER								DT. TIME ADVISED		
								DATE		
								INDICATE TIME		
								AM		
								PM		

MI 145-348

12

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MI 145-349

The following investigation was conducted
by Special Agent [REDACTED]

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Indices and criminal checks were conducted
in Chicago regarding [REDACTED]
and [REDACTED] all of Chicago [REDACTED]
[REDACTED] of Detco, Incorporated, and who own Parkway
Theatre, 3417 West Lisbon Avenue, Milwaukee, where the
film "Deep Throat" was shown.

Criminal checks were negative on all three
individuals.

MI 145-349

The following investigation was conducted by
the Milwaukee Division:

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 2-28-73

Mr. H. H. WOLF, City License Clerk, City of Milwaukee, City Hall, 200 East Wells Street, advised his records show that on February 15, 1973, [redacted] Wisconsin, appeared at the City of Milwaukee License Clerk's Office and executed an Application for Class F License (Soda Water) for the premises of the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin. On this application, [redacted] is identified as the [redacted] of the Parkway Theatre.

b6
b7CInterviewed on 2-21-73 at Milwaukee, Wisconsin File # MI 145-349by SA [redacted] /emp Date dictated 2-23-73

15

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2-28-73

Mr. DONALD HANSEN, Supervisor, Records and Research Division, Tax Commission, City of Milwaukee, City Hall, 200 East Wells Street, advised that his records show that Detco, Incorporated, purchased the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin, on December 8, 1970.

Mr. HANSEN further advised that his records show that Detco, Incorporated, is still the owner of the Parkway Theatre.

b6
b7CInterviewed on 2-22-73 at Milwaukee, Wisconsin File # MI 145-349by SA /gms Date dictated 2-23-73

FEDERAL BUREAU OF INVESTIGATION

- 1 -Date of transcription 2-28-73

Special Agent [] examined the Amended Complaint filed on January 30, 1973, with the Clerk of Court of the United States District Court for the Eastern District of Wisconsin in a civil action entitled "Detco, Incorporated, Plaintiff vs. E. Michael McCann, Et Al, Defendants, Case Number 73-C-27," and determined that allegations set forth in the Plaintiff's Amended Complaint revealed that Detco, Incorporated, is a Wisconsin corporation with its place of business located at 3417 West Lisbon Avenue, Milwaukee, Wisconsin, and that Detco operates the Parkway Theatre at the same location.

It was also determined, from other allegations set forth in the Amended Complaint, that the Parkway Theatre began showing a motion picture entitled "Deep Throat" on December 26, 1972, and that this film had been shown on a daily basis up to the date of the filing of the Amended Complaint.

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Interviewed on 2-22-73 at Milwaukee, Wisconsin File # MI 145-349

by SA [] /gmp Date dictated 2-23-73

17

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 2-28-73

Special Agent [redacted] of the Federal Bureau of Investigation (FBI), received information telephonically from Special Agent [redacted] of the FBI's New York Office, whose investigation in New York revealed that the name JERRY GERARD, which appears in the film credits of the film "Deep Throat" as the producer and director of the film, is a pseudonym used by GERARD DAMIANO, 30-20 75th Street, Jackson Heights, New York, and that DAMIANO is the President of Damiano Films, Incorporated, 630 Ninth Avenue, New York City.

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b7c

Interviewed on 2-22-73 at Milwaukee, Wisconsin File # MI 145-349
by SA [redacted] /gmp Date dictated 2-23-73

18

FEDERAL BUREAU OF INVESTIGATION

Date of transcription March 1, 1973

A review of corporation records, Secretary of State's Office, State of Wisconsin, State Capitol Building, reflected the following information:

Detco, Incorporated, filed a certificate of incorporation, dated December 8, 1970, listing an address as 3417 West Lisbon Avenue, Milwaukee, Wisconsin. According to the articles of incorporation, the period of existence was perpetual and the purpose was to do anything lawful closely allied to operating a motion picture theater. The registered agent and incorporator was listed as DONALD E. THOMAS and this certificate was recorded in Milwaukee County on May 13, 1971.

A certificate of newly elected officers was filed, dated October 7, 1972, and reflected the following:

President - DONALD E. THOMAS, 3417 West Lisbon Avenue, Milwaukee, Wisconsin.

Vice President - JAMES M. FRY, same address.

Secretary - JOHN MERWIN, 1033 Loyola Avenue, Chicago, Illinois.

Treasurer - JOHN MERWIN, same address.

Directors - DONALD E. THOMAS, same address.
JAMES M. FRY, same address.
JOHN MERWIN, same address.

An additional certificate of newly elected officers was filed, dated December 26, 1972, and reflected the following officers:

Interviewed on 2-23-73 at Madison, Wisconsin File # MI 145-337

by SA [redacted] mjr Date dictated 2-26-73

b6
b7C

~~MI~~
MI 145-337

President - WILLIAM PILGRIM, 1033 Loyola Avenue, Chicago, Illinois.

Vice President - HENRY RODINE, 1033 Loyola Avenue, Chicago, Illinois.

Secretary - JOHN MERWIN, 1033 Loyola Avenue, Chicago, Illinois.

Treasurer - JOHN MERWIN, 1033 Loyola Avenue, Chicago, Illinois.

Directors listed were:

WILLIAM PILGRIM
HENRY RODINE
JOHN MERWIN

Attorneys listed for the corporation were Fornary and Fornary, 220 7th Street, Racine, Wisconsin.

No annual corporation reports have been filed by this corporation.

MI 145-349

b6
b7C

The following investigation was conducted by
Special Agent [REDACTED] at Milwaukee:

On February 23, 1973, an affidavit regarding investigation into the film "Deep Throat" was filed before United States Magistrate (USM) JOHN C. MC BRIDE.

Subsequent to the filing of this affidavit, USDJ GORDON refused to sign a temporary restraining order in this matter regarding the film "Deep Throat" as he did not feel the seizure of the film was a necessary prerequisite for prosecution of the distributors of the film and the owners of the Parkway Theatre where "Deep Throat" was being shown.

MI 145-349

The following article appeared in the February 24, 1973, issue of "The Milwaukee Sentinel," a daily newspaper in the City of Milwaukee:

(Mount Clipping in Space Below)

US Magistrate Sets Hearing On Sex Film

A hearing that could lead to federal government seizure of the controversial film, "Deep Throat," because of obscenity, has been slated March 1, before John C. McBride, US magistrate.

David J. Cannon, US attorney, brought the motion Friday before McBride for a search warrant for the Parkway Theater, 3417 W. Lisbon Ave., where the film is being shown. If after the hearing, the search warrant is authorized by McBride, the film could be seized.

In an affidavit in support of the warrant, the FBI said it was investigating the theater in connection with violation of laws involving interstate transportation of obscene films.

The affidavit said the film runs 61 minutes and about 60% of the content is devoted to explicit sexual acts.

Federal Judge Myron L. Gordon, Friday, denied a temporary restraining order in connection with the film sought by Joseph P. Stadtmueller, an assistant US attorney. The order would have prevented removal or destruction of the film prior to the magistrate's hearing.

Notice of the hearing has been served on Gerard Damiano of New York City, the producer and director of the film, and Donald E. Bohatka of Racine, Parkway Theater manager.

MI 145-349

The following article appeared in the February 24, 1973, issue of "The Milwaukee Journal," another daily newspaper in the City of Milwaukee:

(Mount Clipping in Space Below)

US Enters Battle Over Sex Film Here

Federal officials here began legal efforts Friday to seize the movie, "Deep Throat," playing at the Parkway Theater, 3417 W. Lisbon Ave.

The legal moves brought to light the federal government's entrance into the controversy here over the sexually graphic film.

Milwaukee FBI agents have been investigating the film and persons connected with it and the theater for more than a week, according to an affidavit of one agent.

The legal action began Friday when Joseph P. Stadtmueller, assistant US attorney, asked US Magistrate John C. McBride to authorize warrants to search the theater and seize the film.

Hearing Is Set

McBride scheduled a hearing for 11 a.m. March 1. Federal officials contend that the film violates federal obscenity laws.

Stadtmueller then asked Federal Judge L. Myron Gordon to restrain the theater owners from removing, splicing or destroying the film before the hearing. Gordon denied the petition.

Last month Federal Judge John W. Reynolds halted an attempt by the district attorney's office to have the movie declared obscene.

Decision Awaited

Reynolds said then that he would not allow the lawsuit to proceed until a three judge federal panel considered a chal-

lenge to Wisconsin's obscenity laws.

That challenge involves a previous movie shown at the Parkway, "Sexual Liberty Now." The special panel is to meet March 7.

"Deep Throat," which has prompted protests from residents in the Parkway Theater neighborhood and elsewhere in the country, has been described as the most profitable sex oriented film ever.

It has been playing at the Parkway since Dec. 26.

MI 145-349

The following article appeared in the March 1,
1973, issue of "The Milwaukee Journal":

(Mount Clipping in Space Below)

US Delays Hearing on Film Seizure

A hearing to decide whether federal authorities should be authorized to seize the film "Deep Throat," playing at the Parkway Theatre, 3417 W. Lisbon Ave., was adjourned abruptly Thursday until noon Tuesday.

A notice to appear at the hearing before US Magistrate John C. McBride had not been served on Gerard Damiano of New York, identified as producer and distributor of the film.

Atty. John J. Valenti, representing the Parkway Theatre, told McBride that Damiano and his lawyer had agreed to appear next Tuesday whether or not they receive a subpoena.

The US attorney's office began legal efforts Friday to seize the movie, which has stirred up controversy among residents in the neighborhood of the theater.

The US attorney's office claims that the film violates federal obscenity laws.

MI 145-349

The following investigation was conducted by Special Agent [REDACTED], at Milwaukee:

A public adversary hearing was held regarding the film "Deep Throat," on March 6, 1973, before USM MC BRIDE. Attorneys for the distributor, GERARD DAMIANO, New York City, and the manager and owners of the Parkway Theatre, Detco, Incorporated, Milwaukee, were present.

During the hearing, an attorney for the distributor of the film entered an affidavit before the USM signed by Attorney [REDACTED] of the New York City firm of Kassner and Detsky, in which [REDACTED] states he is in possession of a contract under which GERARD DAMIANO sold his interest in Gerard Damiano Film Productions, Incorporated, on June 11, 1972, and has no interest in the film "Deep Throat."

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It is noted at this point, that GERARD DAMIANO is listed as the shipper of the film "Deep Throat" in the aforementioned Novo Air Freight Air Bill Number 1168302 dated December 22, 1972.

USM MC BRIDE determined the film "Deep Throat" was obscene based upon the affidavit and attached photographs of explicit sexual scenes taken by Bureau Agents of the film "Deep Throat," and a search warrant was subsequently issued by MC BRIDE on March 6th for seizure of the movie "Deep Throat" at the premises of the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee.

MI 145-349

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The following investigation was conducted by Special Agent [redacted], at Milwaukee:

A public adversary hearing was held regarding the film "Deep Throat," on March 6, 1973, before USMAG ^{John B} MC BRIDE. Attorneys for the distributor, GERARD DAMIANO, New York City, and the manager and owners of the Parkway Theatre, Detco, Incorporated, Milwaukee, were present.

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^{WAS / who notes it}
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^{to be} USM MC BRIDE determined the film "Deep Throat" ^{was} obscene based upon the affidavit and attached photographs of explicit sexual scenes taken by Bureau Agents of the film "Deep Throat," and a search warrant was subsequently issued by MC BRIDE ^{on March 6th} for seizure of the movie "Deep Throat" at the premises of the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee.

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 3-7-73

Bureau Agents [redacted]

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and [redacted] executed a search warrant issued by United States Magistrate JOHN C. MC BRIDE, Eastern District of Wisconsin, on March 6, 1973, at Milwaukee, Wisconsin, on the premises of the Parkway Theatre, 3417 West Lisbon Avenue in Milwaukee. The search warrant was issued subsequent to an adversary hearing held on March 6th by the United States Magistrate in the case entitled "United States of America vs Motion Picture Entitled 'Deep Throat'" and authorized Special Agents of the Federal Bureau of Investigation (FBI) to seize the film "Deep Throat."

The following transpired during the search of the Parkway Theatre, 3417 West Lisbon Avenue:

Agents proceeded into the Parkway Theatre at 1:15 p.m., and Special Agent [redacted] identified himself and other Agents present as Special Agents of the FBI to an individual who stated his name was [redacted] and that he was [redacted] of the Parkway Theatre. Special Agent [redacted] advised [redacted] the FBI had a search warrant for the premises of the Parkway Theatre, 3417 West Lisbon Avenue, which authorized FBI Agents to search for and seize the film "Deep Throat." The search warrant was read by Special Agent [redacted] to [redacted] and a copy of the search warrant was given to [redacted]. Special Agent [redacted] inquired of [redacted] the whereabouts of the film in the theatre; and [redacted] replied, "You will have to ask my lawyer."

At this point, the search of the theatre commenced by Bureau Agents; and [redacted] at the request of Special Agent [redacted], accompanied Special Agents [redacted] and [redacted] to the Projection Room in the theatre. Agents noted film canisters of the projectors in the Projection Room to be empty. Special Agent [redacted] then observed what appeared to be film clippings in the trash receptacle to

Interviewed on 3-6-73 at Milwaukee, Wisconsin File # MI 145-337

SA's [redacted]

and [redacted]

(CH:gmp)

by [redacted]

Date dictated

3-7-73

- 2 -

MI 145-337

the right, or north, of the entrance to the Projection Room. After examination by Special Agent [] it was determined the film clippings depicted various scenes from the film "Deep Throat"; and they were seized and counted by Special Agent [] in the presence of Special Agent []. It was determined there were 16 separate clippings of various lengths, and the clippings remained in the custody of Special Agent [].

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After the search of the Projection Room did not result in the discovery of the film, the entire premises of the Parkway Theatre was searched by Bureau Agents. The film "Deep Throat," in its entirety, was not located in the Parkway Theatre; and at this time, Special Agent [] prepared an inventory of property taken from the premises of the Parkway Theatre on [] [] copy of the search warrant; namely, 16 pieces of film cuts depicting scenes from the film "Deep Throat" which were retrieved from a trash receptacle in the Projection Room of the theatre.

The search of the theatre and interviews with persons connected with the Parkway Theatre who were in the establishment at the time of the search was discontinued at approximately 2:25 p.m., and Bureau Agents left the premises of the Parkway Theatre at this time.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/12/73

At approximately 1:15 p.m., Officer [redacted] Milwaukee Police Department, Vice Squad, was standing near the southwest exit of the Parkway Theater, 3417 West Lisbon Avenue, during the execution of a search warrant on the premises of the Parkway Theater by FBI agents; and he observed at this time a white male hurriedly exiting from a side door of the theater. Officer [redacted] requested the individual to identify himself and this person stated he was [redacted] for the Parkway Theater. This individual, who identified himself as [redacted] date of birth [redacted] [redacted] home address [redacted] Milwaukee, Wisconsin, advised Officer [redacted] he had showed the film "Deep Throat" on this date and the film ended at approximately 12:50 p.m.

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[redacted] further added that at approximately 12:55 p.m. an unidentified white male entered the projection room and stated to [redacted] "I'm from New York, give me the film." [redacted] did not question this individual and stated to Officer [redacted] that he gave the film to this unidentified person, who then left the projection room. [redacted] further stated he had never seen this person before and described him to Officer [redacted] as approximately thirty-eight years of age, heavy set, glasses, wearing a blue suit, tie, and a white shirt.

Officer [redacted] noted [redacted] was extremely nervous during questioning. After this interview Officer [redacted] allowed [redacted] to leave the premises.

Interviewed on 3/6/73 at Milwaukee, Wisconsin File # MI 145-337

by SA [redacted] /lav Date dictated 3/9/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3-7-73

[redacted] who had previously identified himself as [redacted] Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin, to Special Agent [redacted] Federal Bureau of Investigation, was interviewed in the seating area of the Parkway Theatre at 1:57 p.m. by Special Agent [redacted] in the presence of [redacted] Milwaukee Police Department Vice Squad.

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Special Agent [redacted] advised [redacted] of his constitutional rights, and [redacted] stated he did not wish to make a comment regarding the whereabouts of the film "Deep Throat" and stated to the effect, "I don't want to say anything without my attorney here." At this point the interview was terminated at approximately 2:03 p.m.

The following information was obtained through observation and interview:

Name
Sex
Race
Occupation

[redacted]
Male
White

Home address

Height
Weight
Build
Complexion
Hair

[redacted]
6' (approximate)
190 pounds (approximate)
Medium
Medium
Dark brown (wears small beard)
Hazel (wears glasses)

Eyes

Interviewed on 3-6-73 at Milwaukee, Wisconsin File # MI 145-337

by SA [redacted] /gmp Date dictated 3-7-73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription March 7, 1973-1-

[redacted] was interviewed at the Parkway Theater, 3417 West Lisbon Avenue, Milwaukee. After being advised of the identity of the interviewing agents and the nature of the inquiry, she furnished the following information.

[redacted] stated that her home address is [redacted]. Her date of birth is [redacted]. She is employed as a [redacted] at the Parkway Theater and [redacted]. She has worked at the Parkway approximately [redacted].

[redacted] stated that on March 6, 1973, she came to the theater during the day in order to [redacted]. While at the theater, the [redacted] asked her to help out in the office and answer the phone. She stated most of the calls were by patrons asking the time of the show, and if anyone asked for the manager, she gave the call to him and did not know the nature of the call or the identity of the caller.

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[redacted] stated that the 11:30 A.M. performance of "DEEP THROAT" ended at approximately 12:50 P.M. and that she has no idea what happened to the film after that. She observed no one leaving the theater with any package that looked like it could have been the movie. She further stated that she overheard no conversations pertaining to the film leaving the theater. To the best of her knowledge, the last person to logically handle the film would have been [redacted] the Parkway [redacted].

Interviewed on 3-6-73 at Milwaukee, Wisconsin File # MI 145-337

by SA [redacted] (FMM:mjk) Date dictated 3-6-73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/9/731

[redacted] home address [redacted]
Milwaukee, [redacted] at the Parkway Theatre, 3417 W. Lisbon Ave.,
Milwaukee provided the following information:

He arrived at the theatre (Parkway) at [redacted]
[redacted]

At 12-12:30 pm he went upstairs to the room next to the projection room and read the Milwaukee Sentinel newspaper. He stayed there until a little after 1 pm when he came downstairs - being there since that time, about an hour.

The music in the theatre had been playing, however, no movie was shown and no customers were in the theatre. b6 b7c

The only employees in the theatre were the ticket sales girl, name unknown, the vendor named [redacted] who left earlier, the movie operator, who has also left and the part time manager with the beard arrived about 1pm.

He did not see or notice any unusual activity in the projection room prior to the arrival of the police and the FBI. He didn't notice anyone taking what appeared to be a movie film out of the theatre prior to the arrival of the authorities.

No employees of the theatre were present other than those mentioned above.

Interviewed on 3/6/73 at Milwaukee, Wisconsin File # MI 145-337

by SA's [redacted] Date dictated 3/9/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/12/73

At 3:14 p.m., Special Agents [] and [] of the FBI conducted an inventory of sixteen film clips from the film "Deep Throat," which were seized pursuant to a search warrant executed on the premises of the Parkway Theater, 3417 West Lisbon Avenue, Milwaukee, Wisconsin. The film clips had remained in the custody of Special Agent [] upon seizure and were inventoried in the FBI Office, 700 Federal Building, Milwaukee, Wisconsin. Each of the sixteen film clips were marked with Special Agent [] initials, the date (March 6, 1973), and a number which corresponds to this FD-302. The film clips inventoried revealed the following information:

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Film Clip #1

Depicts a scene from the film "Deep Throat" in which the actress in the film, known as LINDA LOVELACE, is performing an explicit act of fellatio on a male.

Film Clips #2 and #3

Depictions of the same scene as Film Clip #1.

Film Clip #4

A scene from the movie which shows the actress portraying Doctor YOUNG's original nurse performing an explicit act of fellatio on the actor portraying Doctor YOUNG.

Film Clip #5

A scene from the movie "Deep Throat" in which LINDA LOVELACE is depicted shaving her vaginal area.

Film Clip #6

Manifests a scene in which LOVELACE is shown standing in a motel room by the side of a bed while one of her "patients" is lying in the

Interviewed on 3/6/73 at Milwaukee, Wisconsin File # MI 145-337

by SA []/lav
SA [] Date dictated 3/9/73

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MI 145-337

Film Clip #7

bed looking up at her.

A continuation of the scene depicted in Clip #6.

Film Clip #8

A scene which shows Doctor YOUNG lying in bed with no one else in the scene.

Film Clip #9

A continuation of the scene.

Film Clip #10

A scene which depicts LINDA LOVELACE performing an act of fellatio on a male.

Film Clips #11 and #12

Also show LOVELACE performing an act of fellatio on a male.

Film Clip #13

Shows Doctor YOUNG's nurse performing an act of fellatio on him.

Film Clips #14, #15 and #16

Depict a scene from the film "Deep Throat" in which LINDA LOVELACE and her boy friend, WILBUR, are shown standing next to one another.

FEDERAL BUREAU OF INVESTIGATION

March 7, 1973

Date of transcription

-1-

[redacted]
Milwaukee, Wisconsin, was interviewed at his residence. After being advised of the identity of the interviewing agents and the nature of the inquiry, [redacted] furnished the following information:

[redacted] stated that he was represented by an attorney, [redacted] and that he refused to be interviewed by FBI agents without [redacted] presence.

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Interviewed on 3-6-73 at Milwaukee, Wisconsin File # MI 145-337
by SA [redacted] and (EMM:mjk) Date dictated 3-6-73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/8/73

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At approximately 5:30 p.m., Special Agent [] approached the ticket sales window of the Parkway Theater, 3417 West Lisbon, Milwaukee, Wisconsin, and inquired when the next show would be. A white female, 18 to 25 years, with long brown hair, seated behind the ticket counter, replied that there would be no movie that night and that the theater would be closed until Friday.

Special Agent [] then inquired as to whether a different feature would be shown on Friday or whether "Deep Throat" would again be shown. The young lady replied that she did not know.

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Interviewed on 3-6-73 at Milwaukee, Wisconsin File # MI 145-337
by SA [] /mfs Date dictated 3-7-73

MI 145-349

The following article appeared in the March 7, 1973, issue of "The Milwaukee Sentinel":

(Mount Clipping in Space Below)

Sex Film's Run at Parkway Ends

The controversial run of the sex movie "Deep Throat" apparently came to an end here Tuesday with these developments:

- A search warrant permitting seizure of the film by FBI agents was authorized by John C. McBride, US magistrate.

- When agents arrived at the Parkway Theater, 3417 W. Lisbon Ave., to execute the warrant, all they could find were strips cut from the film in a wastebasket.

- Atty. Dominic H. Frinzi, representing the theater operators, said the Parkway would be closed until Friday, when the film "High Rise" would start.

Laywers representing the theaters said they would challenge the issuance of the warrant in a federal court action. McBride issued the warrant after a hearing.

- David J. Cannon, US attorney, had applied for the war-

rant alleging a violation of federal laws involving interstate transportation of obscene films.

Atty. John J. Valenti, representing the theater at the hearing, argued that there must be a finding of obscenity before the search warrant could be issued.

Valenti said he saw the film and it fell far short of being obscene under the definition established by the US Supreme Court.

McBride said he would issue the warrant on the basis of an affidavit submitted by an FBI agent. The affidavit described the film and said it ran 61 minutes and about 60% of the content was devoted to explicit sexual acts.

FEDERAL BUREAU OF INVESTIGATION

1Date 3/9/73

[redacted] Nevo Airfreight,
2707 Coyle Avenue, Elk Grove Village, Illinois, furnished
the following:

[redacted] stated that he was telephonically
called by an unknown individual who asked if he had the
film that had been sent under their Waybill Number 1168302.
After being advised that it had been received, the individual
stated that he would pick it up on the weekend.

On December 24, 1972, an individual came in to
Nevo Airfreight and asked to pick up the film received
under the above waybill. [redacted] recalled handling this
transaction but could not describe this individual. However,
[redacted] stated that this individual signed the airbill as
"[redacted] for [redacted]"

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On 3/8/73 at Elk Grove Village, Illinois File # CG 145-847
by SAs [redacted] and [redacted]
[redacted] CSV:mr Date dictated 3/9/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

The following investigation was conducted by Special Agent [REDACTED], at Milwaukee:

On March 7, 1973, USA CANNON issued subpoenas for the Federal Grand Jury (FGJ), Milwaukee, which was to be held on March 13, 1973, for [REDACTED]

[REDACTED]

On March 13, 1973, [REDACTED] and [REDACTED] appeared before the FGJ, Milwaukee, pursuant to subpoenas issued for their appearance. The United States Marshal's Service could not locate [REDACTED] in this regard.

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Each of the witnesses was represented by Attorney [REDACTED] and [REDACTED]

Another FGJ is scheduled for April, 1973; and additional witnesses will appear before the Grand Jury at that time. According to USA CANNON, these witnesses will include [REDACTED] and [REDACTED]

[REDACTED]

On March 13th, attorneys for Detco presented a motion in United States District Court (USDC), EDW, for the return of 16 film clips of the movie "Deep Throat" seized by the FBI on March 6, 1973, from the Parkway Theatre, 3417 West Lisbon Avenue, pursuant to the execution of a search warrant. Attorneys for Detco contend, in their motion, among other things, that the USM was without authority under Rule 41 or any other

MI 145-349

Federal Rule to conduct the adversary hearing. The USM stated "in no uncertain terms" that he was going to sign the search warrant solely on the basis of the FBI's affidavit as submitted.

USA CANNON has advised a hearing on this motion will be scheduled in April, 1973, before the Honorable USDJ JOHN W. REYNOLDS, EDW.

MI 145-349

The following article appeared in the March 14, 1973, issue of "The Milwaukee Journal":

(Mount Clipping in Space Below)

Jury Begins Probe of Parkway, Films

A federal grand jury has begun an investigation involving the Parkway Theater and probably "Deep Throat," a controversial sex film that was the theater's drawing card for 10 weeks.

Four employees of the theater testified before the grand jury Tuesday.

In a related development Tuesday, Atty. Dominic H. Frinzi, representing the owners of the theater, asked the Federal Court here to order the US attorney's office to return 16 pieces of cut film from "Deep Throat."

However, a theater source said that the pieces of film were from "High Rise," a film that began its run at the Parkway Theater Friday.

Last week FBI agents seized the spliced film from a trash can in the projectionist room at the Parkway Theater, 3417 W. Lisbon Ave. They were unsuccessfully looking for the complete reel.

The employees appearing before the grand jury Tuesday were Donald E. Bohatka, the theater's manager; Miss Barbara Schibines, a concession saleswoman; Terry Meyer, a projectionist, and James Fry, whose job was not learned.

They were represented at the secret proceedings by Frinzi. The grand jury meets be-

hind closed doors every second week of the month.

Witnesses appearing before a grand jury are called to give information. The appearance does not mean that the witness is involved in wrongdoing.

In his motion for the return of the pieces of film, Frinzi argued that the US attorney's office here had not yet brought criminal proceedings against those connected with the film or the theater.

He also termed defective the hearing before US Magistrate John C. McBride last week to decide whether a warrant authorizing a search of the theater and seizure of the film should be issued.

Frinzi criticized McBride's decision to authorize the warrant because, Frinzi said, it was based solely on an affidavit describing the movie submitted by an FBI agent and several photographs of the movie.

Frinzi said David J. Cannon, the US attorney who pleaded the government's case at the hearing, presented no evidence to show that the film was utterly without redeeming social value, patently offensive to contemporary community standards or appealing in its

dominant theme to prurient interests.

He cited Supreme Court rulings that, he said, put the burden of presenting such evidence on prosecuting authorities.

He also argued that federal rules prohibited US magistrates from presiding over hearings called to insure free speech rights.

Ordinarily magistrates issue warrants without hearings. Cannon has said he asked for a hearing in the "Deep Throat" matter because of the free speech issue.

145-5139-1

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2-23-73

Bureau Agents [redacted] and [redacted] attended the Parkway Theatre, 3417 West Lisbon Avenue, for the purpose of viewing the motion picture "Deep Throat." Special Agent [redacted] took still photographs of explicit scenes in the movie.

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The following is the content of the film "Deep Throat":

The credits at the outset of the film identify the film as being entitled "Deep Throat," and as having been written, produced, and directed by JERRY GERARD. The film was in color, and was of good technical quality in relation to lighting, focus, and sound.

The film begins in a setting in the southeastern United States with palm trees on its banks; the girl, later identified as LINDA LOVELACE, appears to be in her late twenties, and is next observed getting into a late model Cadillac, which she drives to a private residence. Background music during these opening scenes is of a fast tempo with no vocal accompaniment.

As LOVELACE departs the car at the residence, she is observed entering the residence while the camera pans the kitchen area, where a second female, appearing to be in her late twenties or early thirties, is observed sitting on a counter with her bare legs spread and a young white male is observed performing an explicit act of cunnilingus on the female. The man's tongue is observed in the vagina of the female, at which time she lights a cigarette for herself and asks the young man, "mind if I smoke while you are eating." The camera then zooms in for a close view of this kitchen scene as the female performs digital manipulation of the vaginal area. During this portion of the scene, a male vocalist is heard singing in the background.

Interviewed on 2-14-73 at Milwaukee, Wisconsin File # MI 145-349

SA [redacted]; SA [redacted]
by and SA [redacted] (CH:gmp) Date dictated 2-16-73

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- 2 -

MI 145-349

The scene in the movie then shifts to a poolside area, where LOVELACE is observed sitting on a lounge chair engaged in conversation with her girl friend, who was the same female participating in the preceding scene. LOVE- LACE says her her companion there must be more to life than "screwing around." She indicates that she does not enjoy sex and is willing to try anything that will enable her to enjoy it.

The scene then shifts to the girl friend's house where several men have arrived and are given numbers by the girl friend, who asks the men to wait until their number is called. The scene then shifts to another room in the house where a man performs anal sodomy on LOVELACE to the background music strains of the song "Love is Strange." She is then observed massaging the vaginal area, at which time the man ejaculates semen on her back.

The next scene depicts a man performing anal sodomy on LOVELACE's girl friend while LOVELACE performs fellatio on a man while he performs cunnilingus on LOVE- LACE's girl friend committing analingus while another man performs cunnilingus on the girl friend. The camera then pans to LOVELACE, who is engaged in a specific act of sexual intercourse. A parting shot is then shown of everyone in the nude on the living room sofa, and the scene is ended.

In the next scene LOVELACE and her girl friend are observed strolling along a canal lined with palm trees in the background. The girl friend suggests that LOVELACE's hangup over sex can be cured by a psychiatrist known as Dr. YOUNG. This provides the lead into the next scene, where LOVELACE meets Dr. YOUNG. She tells him that something is missing in her life and there is "more to sex than tingles." Dr. YOUNG makes inquiry as to whether she has ever had an internal examination, to which she replies that she doesn't think so and pulls her dress open and reclines on her back with her legs spread apart. Dr. YOUNG proceeds to peer into LOVELACE's vagina and remarks "Miss LOVELACE, you don't have one...a clitoris...no tinkler." When asked what excites her, LOVELACE responds

- 3 -

MI 145-349

"giving head," at which time Dr. YOUNG examines her throat and determines LOVELACE's clitoris is at the base of her throat. Dr. YOUNG then suggests "Deep Throat" as a remedy, at which time LOVELACE performs an explicit act of fellatio on Dr. YOUNG as the song "Deep Throat" is sung in the background.

Motion picture shots of bells ringing and fireworks exploding are shown in this scene, during which Dr. YOUNG ejaculates semen in LOVELACE's mouth as she is observed sucking, licking, and smearing the semen on her face as she continues to perform fellatio.

At the conclusion of this scene, Dr. YOUNG offers to make LOVELACE his nurse for house calls, and she accepts.

The scene then shifts to the first house call she makes, where she performs fellatio on an individual, after which the male performs an explicit act of sexual intercourse with LOVELACE with penetration clearly depicted in the film. The male next inserts a glass or plastic vial in LOVELACE's vagina and pours a liquid into the vial, and then proceeds to suck the liquid into his mouth. A flashback then appears to Dr. YOUNG's office, showing his original nurse performing fellatio on him. LOVELACE is then shown again on her back, while her "patient" pours Coca-Cola from a can into the vial, which is still inserted in her vagina, and both then exchange sips through a tube inserted in the vial. Background music provided in this scene is that of "Coca-Cola, the Real Thing" theme song.

The next few scenes pass quickly, showing LOVELACE making another house call, while Dr. YOUNG and his nurse continue to engage in sexual acts, as the nurse performs an explicit act of fellatio on Dr. YOUNG.

In a subsequent scene in the residence, LOVELACE is shown shaving her vaginal area while sitting in a bathroom. Her genitalia are completely exposed, and after removing the shaving cream, LOVELACE caresses her vagina

- 4 -

MI 145-349

and remarks that she needs "a big, strong man." At this point a male individual, identified as WILBUR, comes into the scene, at which time LOVEFACE performs an explicit act of fellatio on WILBUR, who ejaculates semen into her mouth. The scene ends with both LOVEFACE and WILBUR lying exhausted in bed.

The foregoing film "Deep Throat" manifests extremely explicit scenes without simulation of various sexual acts and acts of perversion, with all such scenes displaying genitalia graphically. The film runs approximately 61 minutes in length, and approximately 60 percent of the content of the film is devoted to explicit sexual acts.

United States District Court
FOR THE
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

vs.

MOTION PICTURE ENTITLED
"DEEP THROAT"Magistrate's Docket No. 1Case No. 474AFFIDAVIT FOR
SEARCH WARRANTBEFORE JOHN C. McBRIDE
Name of MagistrateMilwaukee, Wisconsin
Address of Magistrate

The undersigned being duly sworn deposes and says:

That he (has reason to believe) that ~~(on the person of)~~
(is positive)¹ (on the premises known as)

The Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin,

in the Eastern District of Wisconsin,
there is now being concealed certain property, namely a motion picture entitled "Deep
Throat";
here describe property

which ~~is~~ is evidence of violations of §§2, 371, 1462, 1465, Title 18,
here give alleged grounds for search and seizure
United States Code.

And that the facts tending to establish the foregoing grounds for issuance of a Search Warrant are as follows:

SEE ATTACHMENTb6
b7C

Special Agent, Federal Bureau of
Investigation.
Signature of Affiant.
Official Title, if any.

Sworn to before me, and subscribed in my presence, February 23, 19 73.

JOHN C. McBRIDE
United States Magistrate.

¹ The Federal Rules of Criminal Procedure provides: "The warrant shall direct that it be served in the daytime, but if the affidavits are positive that the property is on the person or in the place to be searched, the warrant may direct that it be served at any time." (Rule 41C)

ATTACHMENT to Affidavit for Search Warrant: MOTION PICTURE ENTITLED
"DEEP THROAT"

[redacted] being first duly sworn on oath, deposes
and says:

1. That he is employed as a Special Agent with the Federal Bureau of Investigation, and is presently assigned to the Milwaukee Field Office of the Federal Bureau of Investigation.

2. That he and other Agents of the Federal Bureau of Investigation have been conducting an investigation of the Parkway Theatre located at 3417 West Lisbon Avenue, Milwaukee, Wisconsin, and Gerard Damiano a/k/a Jerry Gerard, 630 9th Avenue, New York, New York, and others in connection with violations of §§ 2, 371, 1462, 1465, Title 18, United States Code, to-wit, interstate transportation of obscene films and conspiracy to do so.

3. That on February 22, 1973 your affiant received information from [redacted] Special Agent of the Federal Bureau of Investigation, New York City Field Office, which disclosed that the name Jerry Gerard appearing as the Producer and Director of the motion picture entitled "Deep Throat" is a pseudonym used by Gerard Damiano, 30-20 75th Street, Jackson Heights, New York, and that Gerard Damiano is the President of Damiano Films, Inc., 630 9th Avenue, New York, New York.

b6
b7c

4. That on February 22, 1973 Mr. Donald Hansen, Supervisor, Records and Research Division, Tax Commission, City of Milwaukee, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, advised your affiant that records on file with the City of Milwaukee reflect that Detco, Inc. purchased the Parkway Theatre located at 3417 West Lisbon Avenue, Milwaukee, Wisconsin, on December 8, 1970, and continues ownership of said theatre up to the present time.

5. That on February 22, 1973 your affiant examined the Amended Complaint filed on January 30, 1973 with the Clerk of Court for the United States District Court for the Eastern District of Wisconsin in a civil action entitled Detco, Inc., Plaintiff, vs. E. Michael McCann, et al., Defendants, Case No. 73-C-27, and determined from allegations set forth in Plaintiff's Amended Complaint that Detco, Inc. is a Wisconsin corporation with its principal place of business located at 3417 West Lisbon Avenue, Milwaukee, and that said corporation operates the Parkway Theatre located at 3417 West Lisbon Avenue, Milwaukee, Wisconsin. Further, that your affiant determined from additional allegations set forth in the above described Amended Complaint that the Parkway Theatre began showing a motion picture entitled "Deep Throat" on December 26, 1972, and that said film had been shown on a continuous daily basis up until the filing of the Amended Complaint aforesaid.

6. That your affiant has examined newspaper advertisements appearing in The Milwaukee Journal commencing on or about December 21, 1972 up until the present time; and that said advertisements reflect that the motion picture "Deep Throat" continues to be shown at the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee.

7. That on February 21, 1973, Mr. H. H. Wolf, City License Clerk, City of Milwaukee, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, advised your affiant that on February 15, 1973 [redacted] Wisconsin, appeared at the City of Milwaukee License Clerk's office in the Milwaukee City Hall and executed a written application for a Class F license (soda water) for the premises known as the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin. Mr. Wolf further advised that said application reflects its execution by [redacted] of the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee.

8. That on February 15, 1973, Special Agents [redacted] and [redacted] of the Chicago Field Office of the Federal Bureau of Investigation examined records of Novo Air Freight Corporation, 2707 Coyle Avenue, Elk Grove Village, Illinois, and determined that under Airbill 1168302 dated December 22, 1972, a shipment described as "Can Film Deep Throat" was shipped by Gerard Damiano, 630 9th Avenue, New York, New York, via airfreight to O'Hare Airport, Chicago, Illinois, with instructions "Hold at airport for pickup" c/o [redacted] that the receipted copy of the aforementioned airbill discloses that the subject film "Deep Throat" was called for at O'Hare Airport in Chicago on December 24, 1972 by an individual who signed the airbill [redacted] for [redacted] and tendered \$18.50 shipping charges to the Novo Air Freight representative.

b6
b7C

9. That on February 14, 1973 your affiant did attend the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin, accompanied by [redacted] and [redacted] Special Agents of the Federal Bureau of Investigation, for the purpose of viewing the motion picture "Deep Throat". My observations of the film "Deep Throat" reveal the following to be the content of the film: The credits at the outset of the film identify the film as being entitled "Deep Throat", and as having been written, produced and directed by Jerry Gerard. The film was in color, and was of good technical quality in relation to lighting, focus and sound. The film begins in a setting in the southeastern United States with palm trees on its banks; the girl, later identified as Linda Lovelace, appears to be in her late twenties, and is next observed getting into a late model Cadillac, which she drives to a private residence. Background music during these opening scenes is of a fast tempo with no vocal accompaniment. As Lovelace departs the car at the residence, she is observed entering the residence while the camera pans the kitchen area, where a second female, appearing to be in her late twenties or early thirties, is observed sitting on a counter with her bare legs spread and a young white male is observed performing an explicit act of cunnilingus on the female. The man's tongue is observed in the vagina of the female, at which time she lights a cigarette for herself and asks the young man, "mind if I smoke while you are eating". The camera then zooms in for a close view of this kitchen scene as the female performs digital manipulation of the vaginal area. During this portion of the scene, a male vocalist is heard singing in the background. The scene in the movie then shifts to a poolside area, where Lovelace is observed sitting on a lounge chair engaged in conversation with her girlfriend, who was the same female partici-

pating in the preceding scene. Lovelace says to her companion there must be more to life than "screwing around". She indicates that she does not enjoy sex and is willing to try anything that will enable her to enjoy it.

The scene then shifts to the girlfriend's house where several men have arrived and are given numbers by the girlfriend, who asks the men to wait until their number is called. The scene then shifts to another room in the house where a man performs anal sodomy on Lovelace to the background music strains of the song "Love Is Strange". She is then observed massaging the vaginal area, at which time the man ejaculates semen on her back. The next scene depicts a man performing anal sodomy on Lovelace's girlfriend while Lovelace performs fellatio on a man while he performs cunnilingus on Lovelace's girlfriend as another man sucks her breast. In the following scene, a man is observed astride Lovelace's girlfriend committing analingus while another man performs cunnilingus on the girlfriend. The camera then pans to Lovelace, who is engaged in a specific act of sexual intercourse. A parting shot is then shown of everyone in the nude on the living room sofa, and the scene is ended.

In the next scene Lovelace and her girlfriend are observed strolling along a canal lined with palm trees in the background. The girlfriend suggests that Lovelace's hangup over sex can be cured by a psychiatrist known as Dr. Young. This provides the lead into the next scene, where Lovelace meets Dr. Young. She tells him that something is missing in her life and there is "more to sex than tingles". Dr. Young makes inquiry as to whether she has ever had an internal examination, to which she replies that she doesn't think so and pulls her dress open and reclines on her back with her legs spread apart. Dr. Young proceeds to peer into Lovelace's vagina and remarks "Miss Lovelace, you don't have one ... a clitoris ... no tinkler". When asked what excites her, Lovelace responds "giving head", at which time Dr. Young examines her throat and determines Lovelace's clitoris is at the base of her throat. Dr. Young then suggests "Deep Throat" as a remedy, at which time Lovelace performs an explicit act of fellatio on Dr. Young as the song "Deep Throat" is sung in the background. Motion picture shots of bells ringing and fireworks exploding are shown in this scene, during which Dr. Young ejaculates semen in Lovelace's mouth as she is observed sucking, licking and smearing the semen on her face as she continues to perform fellatio. At the conclusion of this scene, Dr. Young offers to make Lovelace his nurse for house calls, and she accepts. The scene then shifts to the first house call she makes, where she performs fellatio on an individual, after which the male performs an explicit act of sexual intercourse with Lovelace with penetration clearly depicted in the film. The male next inserts a glass or plastic vial in Lovelace's vagina and pours a liquid into the vial, and then proceeds to suck the liquid into his mouth. A flashback then appears to Dr. Young's office, showing his original nurse performing fellatio on him. Lovelace is then shown again on her back, while her "patient" pours Coca-Cola from a can into the vial, which is still inserted in her vagina, and both then exchange sips through a tube inserted in the vial. Background music provided in this scene is that of "Coca-Cola, The Real Thing" theme song. The next few scenes pass quickly, showing Lovelace making another house call, while Dr. Young and his nurse continue to engage in sexual acts, as the nurse performs an explicit act of fellatio on Dr. Young.

In a subsequent scene in the residence, Lovelace is shown shaving her vaginal area while sitting in a bathroom. Her genitalia are completely exposed, and after removing the shaving cream, Lovelace caresses her vagina and remarks that she needs "a big, strong man". At this point a male individual, identified as Wilbur, comes into the scene, at which time Lovelace performs an explicit act of fellatio on Wilbur, who ejaculates semen into her mouth. The scene ends with both Lovelace and Wilbur lying exhausted in bed.

The foregoing film "Deep Throat" manifests extremely explicit scenes without simulation of various sexual acts and acts of perversion, with all such scenes displaying genitalia graphically. The film runs approximately 61 minutes in length, and approximately 60% of the content of the film is devoted to explicit sexual acts.

10. Based upon the foregoing content of this Affidavit, your affiant has reason to believe that the film "Deep Throat" is obscene, and the same was knowingly transported in interstate commerce from New York City to Milwaukee, Wisconsin for purposes of distribution at the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin.

b6
b7C

5/

Special Agent, Federal Bureau
of Investigation.

Subscribed and sworn to before me
this 23rd day of February, 1973.

5/
JOHN C. McBRIDE
United States Magistrate
Eastern District of Wisconsin

UNITED STATES GOVERNMENT

Memorandum

TO : ACTING DIRECTOR, FBI (145-5139)

DATE: 4/28/73

FROM : SAC, MILWAUKEE (145-349) (P)

SUBJECT: CHANGED

[REDACTED]

dba

Detco, Inc., a Wisconsin Corporation;

GERARD DAMIANO, dba

Damiano Films, Inc.,

630 - 9th Avenue,

New York, New York;

[REDACTED] dba

Parkway Theatre,

3417 W. Lisbon Avenue,

Milwaukee, Wisconsin

Transportation of Film

"Deep Throat" from

New York City to

Milwaukee, Wisconsin

12/22-24/72

ITOM

00: Milwaukee

Title marked Changed to reflect those persons involved with the substantive violation and to those persons to whom prosecutive interest is currently directed.

Re Milwaukee report of SA [REDACTED] 3/16/73.

USA DAVID J. CANNON, EDW, Milwaukee, Wisconsin, advised on 4/16/73, that the motion presented on 3/13/73, by defense attorneys for Detco, Inc., owners of the Parkway Theatre, for the return of 16 film clips from the movie, "Deep Throat," which were seized by FBI Agents on 3/6/73, pursuant to the execution of a search warrant at the Parkway Theatre, 3417 W. Lisbon Avenue, Milwaukee, Wisconsin, had not yet been ruled on by U. S. District Judge JOHN W. REYNOLDS, EDW, Milwaukee.

2-Bureau
2-Milwaukee
CH:mhb

(4)



5010-108-02

MAY 9 1973

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

EX-109 MCT-8

REC-21

145-5139-2

23 MAY 2 1973

b6
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MI 145-349

Mr. CANNON is not aware as to when Judge REYNOLDS will rule on this motion as Judge REYNOLDS is currently involved in a court matter. USA is hopeful, however, that Judge REYNOLDS will make a decision in this regard in the near future in order that his office can proceed with prosecution of the owners and manager of the Parkway Theatre and distributor of the film, "Deep Throat."

LEADS:

MILWAUKEE DIVISION

At Milwaukee, Wisconsin

Will maintain close contact with USA DAVID J. CANNON, EDW, regarding prosecution in this matter.

Airtel

9/4/73

To: SAC, Milwaukee (145-349)

From: Director, FBI (145-5139)

1-Mr. Flottman

[REDACTED]
[REDACTED]
[REDACTED] DBA
DETCO, INC., A WISCONSIN
CORPORATION;
GERARD DAMIANO, DBA
DAMIANO FILMS, INC.,
630 - 9TH AVENUE,
NEW YORK, NEW YORK;

[REDACTED] DBA
PARKWAY THEATRE,
3417 W. LISBON AVENUE,
MILWAUKEE, WISCONSIN
TRANSPORATION OF FILM
"DEEP THROAT" FROM
NEW YORK CITY TO
MILWAUKEE, WISCONSIN
12/22-24/72
ITOM
OO: MILWAUKEE

b6
b7C

Reurlet of 4/28/73, captioned as above.

By return mail advise status of investigation in this case and date a prosecutive opinion will be rendered. Afford these matters close investigative and supervisory attention until fully resolved.

REC-45

EX-103

19 SEP 5 1973

MAILED 6

SEP 4 - 1973

71953 - FBI

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Cong. Serv. _____
Corr. & Crm. _____
Research _____
Press Off. _____
Telephone Rm. _____
Director Sec'y _____

ALF: dka

(4)

MAIL ROOM ☒

TELETYPE UNIT ☐

F B I

Date: September 12, 1973

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (145-5139)
FROM: SAC, MILWAUKEE (145-349) (P)
SUBJECT: [REDACTED]

[REDACTED] dba
Detco, Inc., A Wisconsin
Corporation;
GERARD DAMIANO, dba
Damiano Films, Inc.,
630 - 9th Avenue,
New York, New York;
[REDACTED] dba
Parkway Theatre,
3417 West Lisbon Avenue,
Milwaukee, Wisconsin,
Transportation Of Film
"Deep Throat" From
New York City To
Milwaukee, Wisconsin,
12/22-24/72
ITOM

b6
b7C

(OO: MILWAUKEE)

Re Bureau airtel to Milwaukee dated 9/4/73.

The Milwaukee Division has maintained close contact with United States Attorney (USA) DAVID J. CANNON, Eastern District of Wisconsin (EDW), Milwaukee, Wisconsin, regarding captioned matter; and Mr. CANNON remains interested in prosecuting those individuals having proprietary

2 - BUREAU (145-5139) (AM)
2 - MILWAUKEE (145-349)
CH/dgl
(4)

REC-29

145-5139-4
21 SEP 14 1973

EX-117

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)

MI 145-349

interest in the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, the theatre which exhibited the film, "Deep Throat." Mr. CANNON has advised, however, that United States District Court Judge JOHN W. REYNOLDS has still not ruled on defense and prosecution motions currently before him regarding "Deep Throat;" and Mr. CANNON advised that recently he has "attempted to prod" Judge REYNOLDS' clerk into stressing to the Judge that the Government would appreciate an early decision in order that prosecution in this matter can proceed. Mr. CANNON feels that Judge REYNOLDS will deny the defense motion that film clips of "Deep Throat," which were seized by the FBI on March 6, 1973, during the execution of a search warrant on the premises of the Parkway Theatre, be returned to the management of the theatre.

Mr. CANNON has advised that as soon as Judge REYNOLDS makes a decision in this regard, his office will continue with prosecution pursuant to the captioned matter; and the USA is optimistic that Judge REYNOLDS will rule in the Government's favor.

LEADMILWAUKEE DIVISIONAT MILWAUKEE, WISCONSIN

Will maintain close contact with USA DAVID J. CANNON regarding prosecution in this regard.

-2-

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (145-5139)

FROM : SAC, MILWAUKEE (145-349) (P)

SUBJECT: [REDACTED]

DATE: 10/31/73

[REDACTED] dba
Detco, Incorporated, a Wisconsin
Corporation;
GERARD DAMIANO, dba
Damiano Films, Incorporated,
630 - 9th Avenue,
New York: New York;
[REDACTED] dba
Parkway Theatre,
3417 West Lisbon Avenue,
Milwaukee, Wisconsin
Transportation of Film
"Deep Throat" from
New York City to
Milwaukee, Wisconsin
12/22-24/72
ITOM

b6
b7c

OO: MILWAUKEE

Re Milwaukee airtel to Director dated 9/12/73.

Continual contact has been maintained with United States Attorney (USA) DAVID J. CANNON regarding prosecution of the captioned matter, and USA CANNON continues to feel that his office cannot proceed with prosecution of the owners of the Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin, until United States District Court Judge JOHN W. REYNOLDS rules on prosecution and defense motions currently before him regarding the film "Deep Throat." USA CANNON points out "conceivably it could

2 - Bureau
2 - Milwaukee
CH/brm
(4)

EX-109

REC-57/45-5139-5

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58 NOV 6 1973

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

MI 145-349

be a year" before Judge REYNOLDS rules in this regard.

The defense motion filed by attorneys for Detco, Incorporated, which owns the Parkway Theatre, concerns itself with the argument that the United States Magistrate does not have the statutory authority to conduct an adversary hearing from which a search warrant results. Therefore, defense attorneys contend that the FBI search of the premises of the Parkway Theatre on 3/6/73, was unconstitutionally based. The Government has counter-motined and Mr. CANNON remains of the opinion that Judge REYNOLDS will rule in the Government's favor.

The possibility of proceeding with the Grand Jury investigation in this matter has been discussed with Mr. CANNON; however, USA CANNON does not feel that a Grand Jury investigation is appropriate at this time.

LEAD

MILWAUKEE DIVISION

At Milwaukee, Wisconsin

Will maintain frequent contact with USA CANNON regarding prosecution of the captioned matter.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (145-5139)

DATE: 12/27/73

FROM : SAC, MILWAUKEE (145-349) (P)

SUBJECT:

[REDACTED]

dba

Datco, Incorporated, a
Wisconsin Corporation;
GERARD DAMIANO, dba
Damiano Films, Incorporated
630 - 9th Avenue
New York, New York;

dba

Parkway Theatre
3417 West Lisbon Avenue
Milwaukee, Wisconsin;
TRANSPORTATION OF FILM
"DEEP THROAT" FROM
NEW YORK CITY TO
MILWAUKEE, WISCONSIN
12/22-24/72
ITOM

OO: MILWAUKEE

Reference Milwaukee letter to the Bureau
dated 10/31/73.

Contact has been made with AUSA DAVID B.
BUKEY, USA's Office, Milwaukee, Wisconsin, who is
now handling the prosecution of the captioned matter.
It is noted that former USA DAVID J. CANNON, who has
since resigned, was formerly responsible for prosecution
of this case. AUSA BUKEY is currently Acting USA
until which time a new USA is named.

AUSA BUKEY has been apprised of the Bureau's
interest in an early prosecution of persons associated
with the Parkway Theatre, Milwaukee, Wisconsin, which
theater displayed the film "Deep Throat" in Milwaukee.

2 - Bureau
2 - Milwaukee

REC 43

EX-109

CH/pss.

3 JAN 2 1974

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5010-108-02

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UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (145-5139)

DATE: 2/27/74

FROM : SAC, MILWAUKEE (145-349) (P)

SUBJECT: [REDACTED]

[REDACTED] dba
Datco, Incorporated, a
Wisconsin Corporation;
GERARD DAMIANO, dba
Damiano Films, Incorporated
630 Ninth Avenue
New York, New York;

[REDACTED] dba
Parkway Theatre
3417 West Lisbon Avenue
Milwaukee, Wisconsin;
TRANSPORTATION OF FILM
"DEEP THROAT" FROM
NEW YORK CITY TO
MILWAUKEE, WISCONSIN
12/22-24/72
ITOM

OO: MILWAUKEE

Re Milwaukee letter to Bureau, 12/27/73.

Acting USA DAVID B. BUKEY, USA's Office, Milwaukee, Wisconsin, contacted by the Milwaukee Office of the FBI on 1/21/74 pertaining to the captioned matter, was requested to solicit information from the law clerk of USDC Judge JOHN W. REYNOLDS as to when the judge expects to rule on motions currently before him regarding prosecution of persons associated with the Parkway Theatre, 3417 W. Lisbon Avenue, Milwaukee, Wisconsin. Acting USA BUKEY indicated he would attempt to secure this information as soon as possible.

2 - Bureau
2 - Milwaukee

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U.S. Savings Bonds Regularly on the Payroll Savings Plan

MI 145-349

On 2/15/74, Acting USA BUKEY advised he recently spoke with Judge REYNOLDS' law clerk and Mr. BUKEY was told that the judge is aware of the Government's interest in proceeding with prosecution in this regard, but Judge REYNOLDS' law clerk does not know when the judge will render his decision on these pending motions.

Acting USA BUKEY advised he is presently of the opinion that Judge REYNOLDS is "not in a particular hurry" to rule on prosecution and defense motions regarding this matter, but Mr. BUKEY noted he will continue to press for prosecution of individuals connected with the Parkway Theatre, which theater displayed the film "Deep Throat".

LEAD

MILWAUKEE

AT MILWAUKEE, WISCONSIN

Will continue to maintain close and frequent contact with the USA's Office, Milwaukee, regarding prosecution of this case.

MI 145-349

AUSA BUKEY has indicated he shares this interest and will attempt to obtain a ruling from the US District Court Judge JOHN W. REYNOLDS as to the settlement of motions currently before Judge REYNOLDS pertaining to this matter.

LEAD

MILWAUKEE DIVISION

At Milwaukee, Wisconsin

Will maintain close contact with AUSA BUKEY, USA's Office, regarding prosecution of persons associated with the Parkway Theatre.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (145-5139)

DATE: 4/29/74

FROM : SAC, MILWAUKEE (145-349) (P)

SUBJECT: [REDACTED]

[REDACTED] dba
Detco, Incorporated,
a Wisconsin Corporation;
GERARD DAMIANO, dba
Damiano Films, Incorporated
630 Ninth Avenue
New York, New York;
[REDACTED] dba
Parkway Theatre
3417 West Lisbon Avenue
Milwaukee, Wisconsin
Transportation of Film
"Deep Throat" from New York
City to Milwaukee, Wisconsin
12/22-24/72
ITOM

OO: Milwaukee

Re Milwaukee letter to Bureau, 2/27/74.

EX-116 REC-24 145-5139-8
USA WILLIAM J. MULLIGAN, EDW, Milwaukee, Wisconsin, who was recently appointed to his present position, was contacted by the Milwaukee Office of the FBI on 4/9/74, pertaining to the prosecution of the captioned matter. USA MULLIGAN indicated that although he has not yet read his office's file pertaining to this matter, he was familiar with the circumstances of this case and would probably prosecute the matter himself. USA MULLIGAN indicated that he will make himself familiar with the details of this case and will consider placing the matter before the Federal Grand Jury, EDW, Milwaukee, Wisconsin, in the near future.

2-Bureau

2-Milwaukee

CH:mhb

(4)

MAY 2 1974



MI 145-349

LEADS:

MILWAUKEE DIVISION

At Milwaukee, Wisconsin

Will maintain contact with USA WILLIAM J. MULLIGAN, EDW,
Milwaukee, re prosecution of captioned matter.

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (145-5139)

DATE: 9/30/74

FROM : SAC, Milwaukee (145-349) (P)

SUBJECT:

[REDACTED]

b6
b7C

[REDACTED] dba Detco, Incorporated,
a Wisconsin Corporation;
GERARD DAMIANO, dba Damiano Films, Incorporated,
630 Ninth Avenue, New York, New York;
[REDACTED] dba Parkway Theatre,
3417 West Lisbon Avenue, Milwaukee, Wisconsin;
Transportation of film "Deep Throat" from
New York City to Milwaukee, Wisconsin
12/22 - 24/72
ITOM
OO: Milwaukee

Re Milwaukee letter to Bureau dated 4/29/74.

On 8/16/74, Assistant United States Attorney JOSEPH P. STADTMUELLER, U. S. Attorney's Office, Milwaukee, Wisconsin, advised that on instant date U. S. District Court Judge JOHN W. REYNOLDS, Eastern District of Wisconsin, Milwaukee, Wisconsin, had ruled in favor of the Government concerning defense motions regarding prosecution of the captioned matter. Judge REYNOLDS denied a defense motion to suppress evidence obtained during an FBI search of the premises of the Parkway Theatre in conjunction with the lawful issuance of a search warrant.

Assistant U. S. Attorney STADTMUELLER advised that U. S. Attorney WILLIAM J. MULLIGAN has taken this matter under consideration and will decide the Government's next step.

- 2 - Bureau (145-5139)
2 - Milwaukee (145-349)

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1cc T
10/9/74
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Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

MI 145-349

Lead

MILWAUKEE:

AT MILWAUKEE, WISCONSIN

Will follow prosecution in this matter.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MILWAUKEE	OFFICE OF ORIGIN MILWAUKEE	DATE 4/21/75	INVESTIGATIVE PERIOD 11/19/74 - 4/17/75
TITLE OF CASE [REDACTED] dba Detco, Incorporated, a Wisconsin Corporation; GERARD DAMIANO, dba Damiano Films, Incorporated, 630 Ninth Avenue, New York, New York; [REDACTED] dba Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin; Transportation of film "Deep Throat" from New York City to Milwaukee, Wisconsin 12/22/72 - 12/24/72		REPORT MADE BY SA [REDACTED]	TYPED BY lmk
		CHARACTER OF CASE ITOM	

REFERENCE

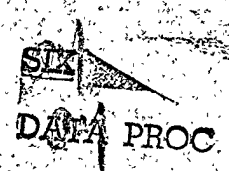
Milwaukee letter to Bureau, dated 9/30/74.

- C -

ADMINISTRATIVE

Investigative period of this report is extensive in that the Milwaukee Division has been awaiting the prosecutive opinion of USA's Office, EDW, Milwaukee, Wisconsin, regarding

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
						NONE	PENDING OVER ONE YEAR <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED <i>H/ [Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE		145-5139-10 REC 8 7 APR 25 1975	
2 - Bureau (145-5139) 1 - USA, Milwaukee 2 - Milwaukee (1 - 145-349) (1 - 145-337) (ITOM Control File)			
Dissemination Record of Attached Report		Notations	
Agency	1-AAG,		
Request Recd.	CD,		
Date Fwd.	Gen. Reg. Sec.		
How Fwd.	On: 4-29-75		
By	7 MAY 2 1975		

MI 145-349

prosecution of persons connected with Parkway Theatre,
3417 W. Lisbon Avenue, Milwaukee, Wisconsin.

As pointed out in the details of this report, USA
WILLIAM J. MULLIGAN, on 4/17/75, declined prosecution
in this regard in that he' does not feel the Government
would benefit from prosecution of persons having
proprietary interest in the Parkway Theatre, Milwaukee,
Wisconsin. It is noted that this theatre has not displayed
any additional hard core pornographic films since Bureau
Agents conducted a search on the premises of the Parkway
Theatre on 3/6/73 regarding the film "Deep Throat."
In view of USA MULLIGAN's declination, Milwaukee is
placing this matter in closed status. Obscene materials
in possession of the Milwaukee Office relating to "Deep
Throat" will be expeditiously forwarded to the FBI
Laboratory for appropriate disposal.

COVER PAGE
B*

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Milwaukee

Report of: SA [REDACTED]
Date: April 21, 1975

Office: Milwaukee

b6
b7c

Field Office File #: MI 145-349

Bureau File #: 145-5139

Title:

[REDACTED]

[REDACTED] doing business as
Detco, Incorporated, a Wisconsin
Corporation;~~XXXXXX~~GERARD DAMIANO, doing business as
Damiano Films, Incorporated,
630 Ninth Avenue, New York, New York;~~XXXXXX~~[REDACTED] doing business as
Parkway Theatre,
3417 West Lisbon Avenue, Milwaukee, Wisconsin;
Transportation of film "Deep Throat" from
New York City to Milwaukee, Wisconsin
December 22-24, 1972

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: On 4/17/75, USA WILLIAM J. MULLIGAN, EDW, Milwaukee, Wisconsin, declined prosecution in this matter as he did not feel Government would benefit from prosecuting persons connected with Parkway Theatre, Milwaukee, Wisconsin, theatre which formerly exhibited the film "Deep Throat." Parkway Theatre has not exhibited any hard core pornographic films since FBI Agents executed search warrant on premises 3/6/73.

- C -

DETAILS:

On November 19, 1974, United States Attorney (USA) WILLIAM J. MULLIGAN, USA's Office, Milwaukee, advised that he is personally reviewing the Government's case concerning captioned matter and will make a decision regarding Federal prosecution of persons connected with Detco, Incorporated, in the very near future.

MI 145-349

On February 5, 1975, USA MULLIGAN advised he had not as yet arrived at a prosecutive opinion regarding persons connected with the Parkway Theatre, Milwaukee, Wisconsin.

A conference was held on April 17, 1975, with USA MULLIGAN and Assistant United States Attorney (AUSA) JOSEPH P. STADTMUELLER, USA's Office, Eastern District of Wisconsin (EDW), Milwaukee, Wisconsin. USA MULLIGAN advised he and AUSA STADTMUELLER had thoroughly reviewed the Government's case concerning Detco, Incorporated, doing business as Parkway Theatre, 3417 West Lisbon Avenue, Milwaukee, Wisconsin. USA MULLIGAN advised he is declining prosecution in this case and that he did not feel the Government would benefit from any prosecution of persons having proprietary interest in the Parkway Theatre, which theatre exhibited the film "Deep Throat." USA MULLIGAN pointed out that the United States Government has an excellent case regarding the interstate transportation of the film "Deep Throat" in Memphis, Tennessee. USA MULLIGAN also stated that since Federal Bureau of Investigation (FBI) Agents executed a search warrant on the premises of the Parkway Theatre on March 6, 1973, relating to "Deep Throat," that this theatre has not displayed hard core pornographic films since that time and that the film "Deep Throat" has not been shown in any Milwaukee area theatre. USA MULLIGAN pointed out that obscene evidence relating to "Deep Throat" in possession of the FBI could be disposed of at this time.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (145-5139)
(ATTN: FBI LABORATORY)

FROM : SAC, MILWAUKEE (145-349) (C)

DATE: 4/22/75

SUBJECT:

[redacted] dba Detco, Incorporated,
a Wisconsin Corporation;
GERARD DAMIANO, dba Damiano Films, Incorporated
630 Ninth Avenue, New York, New York;
[redacted] dba Parkway Theatre,
3417 West Lisbon Avenue, Milwaukee, Wisconsin;
Transportation of film "Deep Throat" from
New York City to Milwaukee, Wisconsin
12/22-24/72
ITOM

OO: MILWAUKEE

750428086

Re Milwaukee closing report of SA [redacted]
dated 4/21/75.

Attached hereto for the Laboratory are 25
black and white still photographs relating to motion
picture "Deep Throat" and the negatives relating to
these photographs which are marked "OBSCENE."

For information of the Laboratory, on 3/6/73,
Bureau Agents, Milwaukee Division, executed a search
warrant on the premises of the Parkway Theatre, 3417 W.
Lisbon Avenue, Milwaukee, Wisconsin, relating to the
seizure of the hard core pornographic film "Deep Throat"
which was being shown at that time. Prior to the execution
of the search warrant Bureau Agents, on 2/14/73, took a
series of black and white still photographs in a clandestine
fashion of "Deep Throat" being exhibited at the Parkway
Theatre, as well as photographs of the exterior of the
Parkway Theatre.

3 - Bureau (RM) (Enc. 50)
1 - Milwaukee
CH/lmk
(4)

EX 104

REC-23

145-5139-11

APR 25 1975

SEALED ENCL

MI 145-349

On 4/17/75, and is pointed out in detail of referenced report, USA WILLIAM J. MULLIGAN, EDW, Milwaukee, Wisconsin, declined prosecution in this matter and advised that obscene materials in possession of the FBI relating to "Deep Throat" could be disposed of.

The attached photographs and negatives are furnished to the Laboratory for the appropriate disposal or utilization. It is noted that several photographs and negatives included are not obscene but are furnished for informational purposes.

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 3

Page 66 ~ Duplicate

Page 67 ~ Duplicate

Page 68 ~ Duplicate

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHARLOTTE	OFFICE OF ORIGIN CHARLOTTE	DATE 6/21/73	INVESTIGATIVE PERIOD 3/19/73 - 5/30/73
TITLE OF CASE CHANGED <i>Charlotte, N.C.</i>		REPORT MADE BY SA LEONARD H. MC COY	TYPED BY gs
MOTION PICTURE FILM ENTITLED "MEATBALL"		CHARACTER OF CASE ITOM - CONSPIRACY	
DIRECTOR: GERARD DAMIANO, Aka. Jerry Gerard;		<i>1585 Broadway, NYC, NY</i>	
DISTRIBUTORS: MARVIN FILMS CORPORATION			
[REDACTED] President; NY (BANNED)			
MEATBALL PRODUCTIONS, INC.; [REDACTED] N.J.			
COUNTRY-WIDE THEATRES, INC.; 5 Park Drive, South, Haverhill, MA			
HERBERT S. NINKE, President; info. for [REDACTED] per [REDACTED]			
[REDACTED] Employee, Aka: [REDACTED]			
Meatball Productions, Inc.;			
CHARLES S. HODGES, Owner,			
Astor Art Theater, Fox Drive-In Theatre			

Title marked changed to reflect names of subjects identified through investigation. Title previously carried as "Intensified Investigations of Interstate Transportation of Obscene Movies, Charlotte Division." *Buf. file 145-5056 (CE 145-448)*

REFERENCES:

145-5056-3X
Bureau airtel to SAC, Albany, 1/3/73.
Charlotte teletypes to Bureau, 3/28/73 and 3/30/73.

145-5056-36X5, 36X6

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED <i>[Signature]</i>					SPECIAL AGENT IN CHARGE		
COPIES MADE:					DO NOT WRITE IN SPACES BELOW		
<ul style="list-style-type: none"> 1 - Bureau 1 - USA, Asheville, N. C. 1 - Newark (Info) 3 - New York 2 - Charlotte (145-457) 					<i>N 145-5315-1</i> <i>14-5056-95</i> JUN 25 1973 REC-62 SI-100		
Dissemination Record of Attached Report					Notations		
Agency	ICC ABG, Crim Div				<i>DATA PROC</i>		
Request Recd.	JAW-1/2/73						
Date Fwd.	6/29/73 C/O [REDACTED]						
How Fwd.							
By							

70 JUL 13 1973

COVER PAGE

CE 145-457

REFERENCES: (Continued)

Charlotte airtel to Bureau, 4/11/73.
Charlotte airtels to Newark, 3/30/73 and 4/27/73.

145-5056-45X
To To

- P -

ADMINISTRATIVE:

Information copy of this report being designated for Newark Office who has conducted previous investigation in this matter.

FD 302 describing the contents of "Meatball" film is not marked "obscene" or handled as such due to the clinical language used in the film description.

[redacted] advised on 3/19/73 that the film "Meatball" would be shipped from Bonded Film Storage, 550 Main Street, Fort Lee, New Jersey, to Galaxy Films Exchange, care of M and M Shipping, 308 South Church Street, Charlotte, North Carolina, and would be picked up by an employee of the Astor Art Theater, East 36th and North Davidson Streets, Charlotte, North Carolina. He further stated this film would be scheduled for showing at the Astor Art Theater on March 21, 1973, and after a week's run there, would probably move to the Fox Drive-In Theater, Old Statesville Road, Charlotte, North Carolina.

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[redacted] further advised that [redacted] [redacted] [redacted] Charlotte, North Carolina, is the Projectionist for the Astor Art Theater, East 36th Street and North Davidson Street, Charlotte, North Carolina. He advised that [redacted] drives a car with 1973 license [redacted]. He further stated that [redacted] a white male, is originally from Henderson, North Carolina, and has a Master's Degree in Education and is also a Certified School teacher in the State of North Carolina. He further stated that [redacted] also taught school in Camden, South Carolina, for a short period.

CE 145-457

LEADS:

NEW YORK:

AT HARRISON, N. Y.

Will interview [redacted]
South, Harriston, N. Y., and determine whether he gave
instructions for subject of two Meatball film copies to
Galaxy Films, in care of M and M Shipping on 3/27/73.

Will conduct credit and identification regarding
[redacted]

CHARLOTTE:

AT CHARLOTTE, N. C.

1. Will maintain contact with USA, WDNC, concerning
presentation of this matter before FGJ, WDNC,
2. Will conduct additional background information
including credit and identification re CHARLES S. HODGES,
owner, Astor Art Theater and Fox Drive-In Theatre.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Asheville, North Carolina

Report of: SA LEONARD H. MC COY
Date: June 21, 1973

Office: CHARLOTTE

Field Office File #: CE 145-457

Bureau File #:

Title: MOTION PICTURE FILM ENTITLED "MEATBALL;" DIRECTOR
GERARD DAMIANO; DISTRIBUTORS: MARVIN FILMS CORPORATION,
[redacted] President; MEATBALL PRODUCTIONS, INC.;
COUNTRY WIDE THEATRES, INC.; HERBERT S. NITKE, President;
[redacted] Employee, Meatball Productions, Inc.;
CHARLES S. HODGES, Owner, Astor Art Theater, Fox Drive-In Theatre

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~~XXXXX~~
Character: INTERSTATE TRANSPORTATION OF OBSCENE MOVIES - CONSPIRACY

Synopsis: Motion picture "Meatball" viewed at the Astor Art Theater, Charlotte, N. C., on 3/21/73 and Fox Drive-In Theatre, Charlotte, 3/28/73. Affidavit prepared and Show Cause and Temporary Restraining Orders signed by USDJ JAMES B. MC MILLAN, WDNC, at Charlotte, N. C., on 3/30/73. Orders served on M and M Shipping Service, Galaxy Film Exchange, Inc., and [redacted] President, Galaxy Film Exchange, all of Charlotte, N. C. Orders also served on Bonded Film Storage, Fort Lee, N. J. Show Cause hearing held before U. S. Magistrate JOSEPH R. CRUCIANI, WDNC, who found probable cause to believe Meatball film in violation of Title 18, USC, Section 1462 (a). Search warrants signed by U. S. Magistrate and executed by seizing 3 complete copies of Meatball film, 2 copies seized at M and M Film Exchange and one copy seized at Fox Drive-In Theatre, Charlotte, N. C. [redacted] Meatball Productions, Fort Lee, N. J., advised 2 prints of Meatball film shipped to Charlotte, N. C., on instructions of [redacted] [redacted] employee of HERBERT NITKE, a principal in Meatball Productions, and other theater companies. On 3/27/73, [redacted] Terminal Manager, Novo Air Freight, Newark, N. J., produced records showing 2 prints of Meatball film shipped 3/27/73 to Charlotte, N. C., shipper listed as Meatball Productions, Ft. Lee, N. J., and consignee, Galaxy Films, in care of M and M Shipping, Charlotte, N. C. [redacted] records also reflected one Meatball print shipped to Charlotte on 2/23/73. Shipper listed as [redacted] (Marvin Films Corporation), Fort Lee, N. J., and consignee as Galaxy Film, in care of M and M (Shipping), Charlotte, N. C. [redacted] Operations Manager, Bonded Film Storage, Fort Lee, N. J., produced records showing one print of

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CE 145-457

Meatball film shipped on 2/23/73 from Fort Lee, New Jersey, to Charlotte, N. C., shipper listed as [redacted] (Marvin Films Corporation) to Galaxy Film, in care of M and M Shipping, Charlotte, N. C., consignee. All shipments of above film via Delta Airlines. HERBERT S. NITKE, 5 Park Drive, Harrison, New York, advised on interview he is a principal in Country Wide Theaters, Meatball Productions, Inc., and other theater companies. He stated [redacted] is an employee of his, and admitted ownership of Meatball film. GERARD DAMIANO advised he is writer, director, and editor of Meatball film. [redacted] President, Marvin Films Corporation, 1585 Broadway, New York City, refused to furnish information on interview concerning his connections with Meatball Film. [redacted] indicted at Memphis, Tennessee, 2/15/73 on Conspiracy charges, Title 18, Section 371, USC, for transporting in interstate commerce film entitled "School Girl."

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CE 145-457

DETAILS:

PREDICATION

This investigation is predicated on an advertisement which appeared in the theater section of the March 21, 1973, edition of the Charlotte Observer, a daily newspaper published in Charlotte, North Carolina.

This advertisement stated in part that the first showing of the motion picture "Meatball" in the Charlotte area could be seen at "The Astor Art," East 36th Street and North Davidson Street, Charlotte, North Carolina, on March 21, 1973.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/26/73

On March 21, 1973, the motion picture "Meatball" was viewed at the Astor Art Theater located at East 36th Street and North Davidson Street, Charlotte, North Carolina.

The picture began at approximately 12:03 p.m. and terminated at 1:04 p.m.

Screen credits listed the film to be an "M - B" production. Director of Photography was listed as HARRY FLECK, and Producer as D. FURRED. The name of HARRY REAMS was listed as one of the male actors, and SINGE LOW as one of the female actresses. The picture was photographed in color.

The film opened with a laboratory scene in which a burlesque type "scientist", Dr. SCHMOCK, is conducting experiments in his laboratory. His assistant, HELEN BED, is wearing a nursing uniform.

Dr. SCHMOCK and his nurse decided to cook ground meat (a meatball) for dinner. Dr. SCHMOCK then sprinkles the meatball with a substance which he has developed known as preparation "X". The preparation is supposed to make meat grow larger in quantity and size. After eating the meatball, Dr. SCHMOCK experiences an erection every hour on the hour. After the initial erection produced by preparation "X", Dr. SCHMOCK and his nurse disrobe exposing their genital areas and she performs fellatio on Dr. SCHMOCK. The scene is explicit, lasting one to three minutes, with full exposure of the male genital organ showing the female engaging in oral copulation, and ending in ejaculation by the male.

The activity continues with Dr. SCHMOCK engaging in cunnilingus with his nurse. Again, the scene is explicit showing oral contact of the female genital area by the male. This scene lasts approximately one to three minutes.

Thereafter, a second female actress appears on the scene who is to provide "relief" for the "nurse" who has been called upon for repeated sexual engagements by Dr. SCHMOCK.

Interviewed on 3/21/73 at Charlotte, N. C. File # Charlotte 145-448
by SAs LEONARD H. MC COY and [redacted] LHM:jho 3/23/73
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Date dictated

CE 145-448

The second female actress engages in fellatio with Dr. SCHMOCK. Full view of the male erection is shown with the female engaging in oral copulation leading to ejaculation. Between these scenes are shown explicit acts of sexual intercourse between the male and the two females in various positions. At least two of these scenes show the insertion of the penis into the vagina and continuing for one to three minutes.

Two other couples then join Dr. SCHMOCK, his nurse, and the "relief" girl in the picture. All present then engage in fellatio, cunnilingus and masturbation. The scenes are explicit with full view of the male and female genital areas.

Over 23 separate acts of fellatio, and at least five acts of cunnilingus were shown throughout the picture, varying in length of time from one to three minutes.

Various scenes also included the manipulation of the female breasts by the male actors. One specific scene also shows the male inserting his penis between the breasts of his female partner, the female encasing the penis with her breasts and ending in fellatio. Another scene shows the male and female engaged in simultaneous fellatio and cunnilingus. The female is being held upside down with her head between the legs of the male, and his head is resting between her thighs.

The sound track of the picture is mainly a musical background. The dialogue is somewhat comical and not particularly offensive. The penis is referred to as a "dingle", and the female breasts as "tits". No loud orgasmic sighs or sounds are evident while the participants are engaged in the various sexual scenes.

The April, 1973 issue of "Playboy" magazine, page 38, set forth a review of the film "Meatball". The article noted the film was written and directed by "D. FURRED", which is an alias of GERRY DAMIANO, who also wrote and directed the picture "Deep Throat". The article further identified "Dr. SCHMOCK, whose screen name was listed as 'HARRY REAMS', alias HERB STREICHER, as an actor whom DAMIANO describes as 'the STEVE MC QUEEN' of pornography".

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CE 145-457

On March 28, 1973, an advertisement appeared in the Charlotte News, a daily newspaper published in Charlotte, North Carolina, which advertised the film "Meatball" as "First Drive-In Showing," Fox Drive-In Theater, Old Statesville Road.

On March 28, 1973, the picture "Meatball" was again viewed by Special Agents of the FBI at the Fox Drive-In Theater, Old Statesville Road and no alterations or deletions of the film scenes were observed.

The Charlotte News

Wednesday, March 28, 1973

NO ONE
UNDER 18
OPENS 6:30

FOX DRIVE-IN
THEATRE
OLD STATESVILLE RD. 596-0115

SEE IT
Tonight!

FIRST DRIVE-IN
SHOWING!

Tops in camp
entertainment ...
ONE OF THE
BEST!"
—Al Goldstein



Just
when
you
thought
you
saw
it
all...
along
comes.

FOR
ADULTS
IN COLOR

COME
EARLY
FOR GOOD
SPACE

Meatball

PLUS 2nd ADULT FEATURE

0-3-78

CE 145-457

On March 28, 1973, this matter was discussed with Assistant United States Attorney DAVID B. SENTELLE, Western District of North Carolina, who directed that an affidavit be prepared concerning the contents of the "Meatball" film as viewed by Special Agents of the FBI on March 21, 1973.

A F F I D A V I T

A confidential informant personally known to me, has been providing me with information concerning X-rated motion pictures in the Charlotte, N.C., area for approximately one month. Information previously furnished by this informant has been consistently corroborated by independent investigation and has never been determined to be false or inaccurate during this period. Names of theaters showing X-rated motion pictures, and shipping companies utilized in the transporting of motion picture film interstate, furnished by the informant, have been verified through independent FBI investigation.

As recently as March 19, 1973, this informant advised that the film "Meatball" would be shipped from Bonded Film Storage, 550 Main St., Fort Lee, New Jersey, to Galaxy Films Exchange, care of M & M Shipping, 308 South Church St., Charlotte, N.C., and would be picked up by an employee of The Astor Art Theater, East 36th and North Davidson Streets, Charlotte, N. C. Informant further stated this film was scheduled for showing at The Astor Art Theater on March 21, 1973.

The Charlotte Observer, a daily newspaper published in Charlotte, N.C., carried an advertisement for The Astor Art Theater on March 21, 1973, for the first showing of the film "Meatball".

This information further stated that on other occasions, the Astor Art Theater utilized interstate bus transportation to receive its motion picture film.

On March 7, 1973, the records of the Charlotte Bus Terminal, 418 West Trade St., Charlotte, N.C., were checked and it was noted that the Astor Art Theater received a shipment from New York on February 16, 1973; on February 15, 1973, from Atlanta, Ga.; on February 26, 1973, from New York, New York, and a fourth shipment in February, 1973, the exact date not specified, from New York, New York.

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The informant knows the aforementioned facts to be true through conversations with employees of the Astor Art Theater and other employees of theaters which exhibit and show X-rated motion picture film.

On March 27, 1973, at 10:35 P.M., a shipment of three items weighing 108 lbs. was shipped via Delta Airlines, Delta Airbill Number 58651843, from Novo Airfreight, Newark, New Jersey, consigned to Novo Airfreight, Charlotte, N. C. The three items were picked up by "O. Taylor", Queen City Delivery Service at 8 A.M. and delivered to Novo Airfreight terminal, 4043 West Boulevard, Charlotte, N. C.

Novo Airfreight Airbill #8046929 dated March 28, 1973, reflects the shipper of two of the items was Meatball Productions, 550 Main St., Fort Lee, New Jersey, and consigned to Galaxy Films, c/o M & M Shipping, 308 South Church St., Charlotte, N.C. The description of the two items was "Meat - 102 - 103 Meatball."

Novo Airbill #8046929 further shows these two items were delivered to M & M Shipping Co., 308 South Church St., Charlotte, N.C., at 11:35 A.M., 3/28/73 and received by STEVE WILLIS, an employee of M & M Shipping Co.

Wayne Thomas Griffin, the driver making the delivery for Queen City Delivery Service, stated on March 28, 1973, that the two items delivered to M & M Shipping Co. were motion picture film containers. He stated that from experience of past deliveries, M & M Shipping Co., receives film for Galaxy Films, Inc.

The third item shipped from Newark, New Jersey, on the Novo Airfreight Bill was from I.B.M. Corporation, Consignee, Handy Pantry Stores, Inc., Fayetteville, N.C.

On March 21, 1973, the motion picture "Meatball" was viewed at the Astor Art Theater, East 36th Street and North Davidson Street, Charlotte, North Carolina, by Special Agents Leonard H. McCoy and Terry D. Peters. The film began at approximately 12:03 P.M. and terminated at 1:04 P.M. Subsequently, on March 28, 1973, this same picture was viewed at the Fox Drive-In Theater, Statesville Rd., Mecklenburg County, Charlotte, N. C., by Special Agents McCoy and Peters.

Screen credits listed the film to be an "M - B" production. Director of Photography was listed as HARRY FLECK, and Producer as D. FURRED. The name of HARRY REAMS was listed as one of the male actors, and SINCE LOW as one of the female actresses. The picture was photographed in color.

The film opened with a laboratory scene in which a burlesque type "scientist," Dr. Schmock, is conducting experiments in his laboratory. His assistant, HELEN RED, is wearing a nursing uniform.

Dr. SCHMOCK and his nurse decided to cook ground meat (a meatball) for dinner. Dr. SCHMOCK then sprinkles the meatball with a substance which he has developed known as preparation "X". The preparation is supposed to make meat grow larger in quantity and size. After eating the meatball, Dr. SCHMOCK experiences an erection every hour on the hour. After the initial erection produced by preparation "X", Dr. SCHMOCK and his nurse disrobe, exposing their genital areas and she performs fellatio on Dr. SCHMOCK. The scene is explicit, lasting one to three minutes, with full exposure of the male genital organ showing the female engaging in oral copulation, and ending in ejaculation by the male.

The activity continues with Dr. SCHMOCK engaging in cunnilingus with his nurse. Again, the scene is explicit showing oral contact of the female genital area by the male. This scene lasts approximately one to three minutes.

Thereafter, a second female actress appears on the scene who is to provide "relief" for the "nurse" who has been called upon for repeated sexual engagements by Dr. SCHMOCK. The second female actress engaged in fellatio with Dr. SCHMOCK. Full view of the male erection is shown with the female engaging in oral copulation leading to ejaculation. Between these scenes are shown explicit acts of sexual intercourse between the male and the two females in various positions. At least two of these scenes show the insertion of the penis into the vagina and continuing for one to three minutes.

Two other females and three other males then join Dr. SCHMOCK, his nurse, and the "relief" girl in the picture. All present then engage in fellatio, cunnilingus, masturbation, and intercourse. The scenes are explicit with full view of the male and female genital areas.

Approximately 23 separate acts of fellatio, at least five acts of cunnilingus, and approximately seven instances of ejaculation were explicitly shown throughout the picture, varying in length of time from one to three minutes.

Various scenes also included the manipulation of the female breasts by the male actors. One specific scene also shows the male inserting his penis between the breasts of his female partner, the female encasing the penis with her breasts and ending in fellatio. Another scene shows the male and female engaged in simultaneous fellatio and cunnilingus. The female is being held upside down with her head between the legs of the male, and his head is resting between her thighs.

The sound track of the picture is mainly a musical background. The dialogue refers to the penis as a "dingle," and the female breasts as "tits." One of the female actresses also uses the word "balls" in reference to the male genital organs.

The April, 1973, issue of "Playboy" magazine, page 38, set forth a review of the film "Meatball." The article noted the film was written and directed by "D. FURRED," which is an alias of GERRY DAMIANO, who also wrote and directed the picture "Deep Throat." The article further identified "Dr. SCHNOCK, whose screen name was listed as 'HARRY REAMS,' alias HERB STREICHER, as an actor whom DAMIANO describes as the 'STEVE MCQUEEN' of pornography."

LEONARD H. MC COY, Special Agent, FBI

Sworn to and subscribed before
me this _____ day of _____, 1973.

Joseph R. Cruciani
United States Magistrate

CE 145-457

The 1973 edition of the Charlotte City Directory lists Astor Art Theatre, CHARLES H. HODGES, Manager, 511 East 36th Street, Charlotte, North Carolina.

CE 145-457

The 1973 Charlotte City Directory lists the following
residence and occupation for CHARLES H. and

Manager, Astor Art Theatre

Home address: 627 McAlway Road
Charlotte, North Carolina

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CE 145-457

On June 4, 1973, the records of the City of Charlotte and Mecklenburg County Business Personal Property Tax listings were examined by Special Agent [REDACTED]. A copy of this record dated January 1, 1972, reflects CHARLES H. HODGES is listed as the owner of the Astor Theater, 511 East 36th Street, Charlotte, North Carolina. Records for the tax year beginning January 1, 1973, were not in file as of the date of examination. These records further reflect CHARLES H. HODGES is the owner of Hodges Fox Theatre, Box 5217, Charlotte, North Carolina.

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CITY OF CHARLOTTE AND MECKLENBURG COUNTY

BUSINESS PERSONAL PROPERTY LISTING

COMPLETE ALL APPLICABLE SECTIONS OF THIS FORM

PROPERTY IN:

CITY ☐COUNTY ☐

INSIDE

MAIL ONE COPY TO: TAX SUPERVISOR, MECKLENBURG COUNTY OFFICE BLDG., CHARLOTTE, N. C. 28202

JANUARY 1, 1972

DUE TO CHANGES IN N. C. LAW
PLEASE READ ALL
INSTRUCTIONS CAREFULLY
BEFORE COMPLETING
FORM!

1 ASTOR THEATER

TRADE NAME

2 511 E 36TH ST

MAIL ADDRESS

3 CHARLOTTE, N. C.

28205

7000000495

CITY

STATE

ZIP CODE

LOCATION OF PROPERTY, STREET ADDRESS OR WAREHOUSE NAME

DO NOT WRITE ON THIS LINE →	1	1	1414				1414	FOR TAX OFFICE USE ONLY:
	T	C	OFFICE AND PLANT EQUIP.	INVENTORY	HIGHWAY VEHICLES	NUMBER OF VEHICLES	TOTAL TAX VALUATION	
	11		750				750	Late

The 1971 listing was made in name of _____ If new business give date opened in 1971 _____

If Proprietorship give Name and Address of owner _____

If Partnership give Names and Addresses of partners _____

If Unincorporated Association give Names and Addresses of officers _____

N. C. Corporation - Principal office or place of business _____

Foreign Corporation - State of Incorporation _____

List North Carolina Counties other than Mecklenburg, in which this firm has Personal Property _____

Date as of which business year ends: 12-31-71 (This is very important)

INVENTORIES TO BE LISTED AS OF LATEST FISCAL CLOSING PRIOR TO 1-1-72 IF OTHER THAN 1-1-72 AT TRADE LEVEL VALUATION. OUTLET LEVEL NOT FACTORY COST (FOR NEW BUSINESSES SEE INSTRUCTIONS #1 ON REVERSE OF PAGE 2) LIFO NOT ACCEPTABLE

Mdse. in Hand of Distributor, Distribution Point, Wholesaler, Retailer 100% Cost \$ None

Mdse. in Hands of Public Warehouse For Distribution 100% Cost \$

Consigned Mdse. Carried As Part of Your Assets At Your Cost 100% Cost \$

Supplies & Packaging Materials Other Than Office Supplies 100% Cost \$

Floor Planned Merchandise 100% Cost \$

(ATTACH SUBSTANTIATING SCHEDULE OR BALANCE SHEET) Total Cost \$ None

INVENTORIES TO BE LISTED AS OF LATEST FISCAL CLOSING PRIOR TO 1-1-72 IF OTHER THAN 1-1-72 AT TRADE LEVEL VALUATION IN LOCAL MANUFACTURER'S PLANT (FOR NEW BUSINESSES SEE INSTRUCTIONS #1 ON REVERSE OF PAGE 2) LIFO NOT ACCEPTABLE

Raw Materials 100% Cost \$

Goods in Process (Materials Plus 1/2 Labor) 100% Cost \$

Finished Products With Full Burden 100% Cost \$

Supplies & Packaging Materials Other Than Office Supplies 100% Cost \$

(ATTACH SUBSTANTIATING SCHEDULE OR BALANCE SHEET) Total Cost \$

GOODS NOT IN INVENTORY ABOVE CONSIGNED, BILL & HOLD, OR OTHERWISE AS OF JAN. 1

N. C. Law requires all persons and Firms to report all such goods in their possession to the Tax Supervisor.

USE SPACE BELOW TO REPORT ALL GOODS THAT ARE NOT REPORTED IN YOUR INVENTORY. FAILURE TO DO SO WILL MAKE YOUR FIRM LIABLE FOR TAXES. IF MORE THAN ONE COMPANY ATTACH A LIST.

NAME OF OWNER _____ VALUE \$ _____

ADDRESS _____

INVENTORIES: Figures to be taken directly from books: DO NOT DISCOUNT

ALL BUSINESS FIRMS OWNING MERCHANDISE ARE REQUIRED TO SUBMIT IN CONNECTION WITH THIS LISTING A COPY OF AUDITED BALANCE SHEET, AS OF THEIR LATEST FISCAL CLOSING. A DETAILED SWORN AFFIDAVIT MAY BE USED IF NO BALANCE SHEET IS KEPT. STATEMENT TO INCLUDE METHOD OF ARRIVING AT INVENTORY VALUE. "NO LISTING WILL BE ACCEPTED AS COMPLETE WITHOUT THIS INFORMATION." THIS INFORMATION IS CONFIDENTIAL.

AFFIRMATION

Under the penalties prescribed by law, I hereby affirm that to the best of my knowledge and belief this listing including any accompanying statements, inventories, schedules and other information is true and complete.

IMPORTANT! GS-105-311 Provides that listing must be signed by a principal officer or full time employee of the taxpayer.

SIGNED

Charles H. Hargrove

TITLE

Owner

DATE

6/29

1972

NOTICE—USE REVERSE SIDE TO LIST ALL VEHICLES AND AIRPLANES OWNED. ALSO LIST ALL VEHICLES, AIRPLANES AND EQUIPMENT ON LEASE, RENT OR OTHER. LIST MACHINERY, EQUIPMENT, FIXTURES, AND LEASEHOLD IMPROVEMENTS ON PAGE TWO OF THIS FORM. COMPLETE INSTRUCTIONS ON REVERSE OF PAGE TWO.

LISTING DUE JANUARY 31 - THIRTY DAY EXTENSION GRANTED
BY WRITTEN REQUEST - 10% PENALTY AFTER MARCH 2

CITY OF CHARLOTTE AND MECKLENBURG COUNTY

PROPERTY IN:

BUSINESS PERSONAL PROPERTY LISTING

CITY ☐ COUNTY ☒

COMPLETE ALL APPLICABLE SECTIONS OF THIS FORM

outside

MAIL ONE COPY TO: TAX SUPERVISOR, MECKLENBURG COUNTY OFFICE BLDG., CHARLOTTE, N. C. 28202

JANUARY 1, 1972

1 Hodge's Ice Mart

TRADE NAME

2 Box 5217

MAIL ADDRESS

3 Charlotte

CITY

N.C.

STATE

28205

ZIP CODE

DUE TO CHANGES IN N. C. LAW
PLEASE READ ALL
INSTRUCTIONS CAREFULLY
BEFORE COMPLETING
FORM!

7,000,004.396

LOCATION OF PROPERTY, STREET ADDRESS OR WAREHOUSE NAME

DO NOT WRITE ON THIS LINE →	T	C	OFFICE AND PLANT EQUIP	INVENTORY	HIGHWAY VEHICLES	NUMBER OF VEHICLES	TOTAL TAX VALUATION	FOR TAX OFFICE USE ONLY
	1	1	3173	84	860	1	41170	<u>Late</u>

The 1971 listing was made in name of Jame If new business give date opened in 1971If Proprietorship give Name and Address of owner: Charles H. Hodge, Rt. 3, Box 368-1, Matthews

If Partnership give Names and Addresses of partners:

If Unincorporated Association give Names and Addresses of officers:

N. C. Corporation - Principal office or place of business

Foreign Corporation - State of incorporation:

List North Carolina Counties other than Mecklenburg, in which this firm has Personal Property

Date as of which business year ends: 12-31 (This is very important)

INVENTORIES TO BE LISTED AS OF LATEST FISCAL CLOSING PRIOR TO 1-1-72 IF OTHER THAN 1-1-72 AT TRADE LEVEL VALUATION: OUTLET LEVEL NOT FACTORY COST (FOR NEW BUSINESSES SEE INSTRUCTIONS #1 ON REVERSE OF PAGE 2) LIFO NOT ACCEPTABLE

Mdse. in Hand of Distributor, Distribution Point, Wholesaler, Retailer 100% Cost \$ 140.00

Mdse. in Hands of Public Warehouse For Distribution 100% Cost \$

Consigned Mdse. Carried As Part of Your Assets At Your Cost 100% Cost \$

Supplies & Packaging Materials Other Than Office Supplies 100% Cost \$

Floor Planned Merchandise 100% Cost \$

(ATTACH SUBSTANTIATING SCHEDULE OR BALANCE SHEET) Total Cost \$ 140.00

INVENTORIES TO BE LISTED AS OF LATEST FISCAL CLOSING PRIOR TO 1-1-72 IF OTHER THAN 1-1-72 AT TRADE LEVEL VALUATION IN LOCAL MANUFACTURER'S PLANT (FOR NEW BUSINESSES SEE INSTRUCTIONS #1 ON REVERSE OF PAGE 2) LIFO NOT ACCEPTABLE

Raw Materials 100% Cost \$

Goods in Process (Materials Plus 1/2 Labor) 100% Cost \$

Finished Products With Full Burden 100% Cost \$

Supplies & Packaging Materials Other Than Office Supplies 100% Cost \$

(ATTACH SUBSTANTIATING SCHEDULE OR BALANCE SHEET) Total Cost \$

GOODS NOT IN INVENTORY ABOVE CONSIGNED, BILL & HOLD, OR OTHERWISE AS OF JAN. 1

N. C. Law requires all persons and Firms to report all such goods in their possession to the Tax Supervisor.

USE SPACE BELOW TO REPORT ALL GOODS THAT ARE NOT REPORTED IN YOUR INVENTORY. FAILURE TO DO SO WILL MAKE YOUR FIRM LIABLE FOR TAXES. IF MORE THAN ONE COMPANY ATTACH A LIST.

NAME OF OWNER: VALUE \$

ADDRESS:

INVENTORIES: Figures to be taken directly from books: DO NOT DISCOUNT

ALL BUSINESS FIRMS OWNING MERCHANDISE ARE REQUIRED TO SUBMIT IN CONNECTION WITH THIS LISTING A COPY OF AUDITED BALANCE SHEET, AS OF THEIR LATEST FISCAL CLOSING. A DETAILED SWORN AFFIDAVIT MAY BE USED IF NO BALANCE SHEET IS KEPT. STATEMENT TO INCLUDE METHOD OF ARRIVING AT INVENTORY VALUE. "NO LISTING WILL BE ACCEPTED AS COMPLETE WITHOUT THIS INFORMATION." THIS INFORMATION IS CONFIDENTIAL

AFFIRMATION

Under the penalties prescribed by law, I hereby affirm that to the best of my knowledge and belief this listing including any accompanying statements, inventories, schedules and other information is true and complete.

IMPORT

SIGNED:

TITLE

DATE

1972

NOTICE—USE REVERSE SIDE TO LIST ALL VEHICLES AND AIRPLANES OWNED. ALSO LIST ALL VEHICLES, AIRPLANES AND EQUIPMENT ON LEASE, RENT OR OTHER. LIST MACHINERY, EQUIPMENT, FIXTURES, AND LEASEHOLD IMPROVEMENTS ON PAGE TWO OF THIS FORM. COMPLETE INSTRUCTIONS ON REVERSE OF PAGE TWO.

LISTING DUE JANUARY 31 - THIRTY DAY EXTENSION GRANTED
BY WRITTEN REQUEST - 10% PENALTY AFTER MARCH 2

FEDERAL BUREAU OF INVESTIGATION

Date of transcription April 2, 19731

[redacted] Cargo Manager, Delta Airlines, Douglas Airport, Charlotte, North Carolina, in response to a subpoena made available Delta air bill number 58651843 dated March 27, 1973.

Mr. [redacted] advised Delta air bill number 58651843 had been made up at Delta Air Lines, Newark, New Jersey, on March 27, 1973, and showed three items with a total weight of 108 pounds, described as "film, tape" being shipped from Novo Airfreight, Newark and consigned to Novo Airfreight, Charlotte, North Carolina.

According to Mr. [redacted] the film and tape had arrived via Delta flight number 993, March 28, 1973, and had been picked up by one [redacted] Queen City Delivery, at 8:00 A. M., on March 28, 1973.

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b7c

Interviewed on 3/28/73 at Charlotte, N. C. File # CE 145-448

by SA LEONARD H. MC COY/bcb Date dictated 4/2/73

TO:
FROM:

UNIFORM AIRBILL NON-NEGOTIABLE

Subject to Conditions of Contract on the Back of Shipper's Copy of the Airbill

CARRIER		AIRBILL NUMBER		DATE		TC	CHGS.	FLIGHT/DATE	FLIGHT/DATE	DECLARED VALUE	CUBIC INCHES
006	ORIGIN	5865	1843	DAY	MO.	YR.		943		300	
ROUTING: Airline routing applies unless shipper inserts specific routing here.											
<input checked="" type="checkbox"/> PREPAID <input type="checkbox"/> COLLECT											
DELTA AIR LINES, INC. ATLANTA, GEORGIA 30320											
CHARGES CODES:											
A - Assembly B - Clearance Handling C - Container/Kennel D - Distribution E - Insurance G - Signature Service H - Separate/Early Release M - Miscellaneous Service Charge P - Packaging S - Storage T - State Sales Tax X - Unassigned RFC - Remittance Following Collection											
PX - Prepaid Credit PP - Prepaid Cash CC - Collect CG - Collect G.B.L. CP - Collect Cash CX - Collect Credit MX - Part Prepaid, Partial Collect - Credit MP - Part Prepaid, Partial Collect - Cash PG - Prepaid GBL and/or collect											
CARRIER USE ONLY											
RATE											
CHARGES											
WEIGHT CHARGES											
PICK UP											
B											
DELIVERY											
C											
EXCESS VALUE											
D											
ADVANCES											
E											
OTHER											
F											
SHIPPER'S C. O. D.											
G											
C. O. D. FEE											
H											
TAX											
I											
TOTAL CHARGES											
T											
SHIPPER'S ACCOUNT NUMBER											
SHIPPER											
NAME											
STREET ADDRESS											
CITY											
STATE											
ZIP CODE											
CONSIGNEE'S ACCOUNT NUMBER											
CONSIGNEE											
NAME											
STREET ADDRESS											
CITY											
STATE											
ZIP CODE											
SPECIAL INSTRUCTIONS, INCLUDING CUSTOMER REFERENCE NUMBER AND BILLING INSTRUCTIONS											
DEL ZONE											
SHIPPER'S ACCOUNT NUMBER											
SHIPPER											
NAME											
STREET ADDRESS											
CITY											
STATE											
ZIP CODE											
C. O. D. SHIPMENT											
IF AMOUNT ENTERED HERE BY SHIPPER											
PICK UP ZONE											
ORIG. ADVANCE CHGS											
DESCRIPTION OF ORIGIN ADVANCE CHARGES											
DEST. ADVANCE CHGS											
DESCRIPTION OF DESTINATION ADVANCE CHARGES											
OTHER CHARGES											
DESCRIPTION OF OTHER CHARGES											
G. B. L. NUMBER/GTR NUMBER											
NO. PCS.											
WEIGHT											
DESCRIPTION OF PIECES AND CONTENTS PACKING, MARKS, NUMBER											
CARRIER COMM. TY GROUP NO.											
CARRIER COMM. TY GROUP NO.											
CARRIER COMM. TY GROUP NO.											
CHARGES - FOR CARRIERS USE ONLY											
WEIGHT CHARGES											
PICK UP											
DELIVERY											
EXCESS VALUE											
ADVANCES											
OTHER											
SHIPPER'S C. O. D.											
C. O. D. FEE											
TAX											
TOTAL CHARGE											
1st RATE											
2nd RATE											
3rd RATE											
ITEMS PREPAID											
SHIPPER PAYS											
EXECUTED AT/BY:											
DATE											
TIME											
ITEMS COLLECT											
CONSIGNEE PAYS											
PERSON CONTACTED											
BY											
DATE-TIME											
PHONE											
ORIGIN											
SERIAL NUMBER											
5865 1843											

FORM 0412-90089
AIRBILL 3-72
AC-17 SP 850

DELIVERY RECEIPT

FEDERAL BUREAU OF INVESTIGATION

Date of transcription April 2, 19731

Mr. [] District Manager, Novo Airfreight, 4043 West Boulevard, Charlotte, North Carolina, in response to a subpoena made available a copy of Novo Airfreight air bill number 8046929 dated March 27, 1973.

Shipper was listed as Meatball Productions, 550 Main Street, Fort Lee, New Jersey. Consignee was listed as Galaxy Films, care of M and M Shipping, 308 South Church Street, Charlotte, North Carolina. Cargo was described as two pieces - 92 pounds, meat - 102 - 103, "MEATBALL." Novo Airfreight Air bill number 8046929 further reflected that the above two pieces of freight had been delivered to M and M Shipping, 308 South Church Street, Charlotte, North Carolina, at 11:35 A. M., March 28, 1973, and signed for by one [].

Mr. [] stated the other item of freight which had been consigned to Novo Airfreight on the same Delta flight was a shipment of tapes from IBM Corporation in New Jersey consigned to Handy Pantry Stores, Incorporated, 2124 Cumberland Road, Fayetteville, North Carolina.

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b7C

Interviewed on 3/28/73 at Charlotte, N. C. File # CE 145-448

by SA LEONARD H. MC COY:bcb Date dictated 4/2/73

NOVO airfreight corp.

A SUBSIDIARY OF NOVO CORPORATION
P.O. BOX 7037 BLVD. STATION
PHILADELPHIA, PA. 19149

ORIGINAL TERMINAL

• NON-NEGOTIABLE AIRBILL •
Terms and Conditions on Reverse Side

BLUE BOX DIGIT

Not a Part of NOVO No.

AIRLINE		CITY	AIRLINE AIRBILL NO.	ASSY.	FLIGHT	DEST.	VIA	P/U CODE	DATE	FREIGHT TERMS <input checked="" type="checkbox"/> PREPAID <input type="checkbox"/> COLLECT <input type="checkbox"/> F.C.C.O.D. <input type="checkbox"/> C.O.D. <input type="checkbox"/> 3D PARTY		NOVO NO. 8046929 <input checked="" type="checkbox"/>	
BILLING NO.	SALES NO.	NOVO SHIPPER NO.		RECEIVED		SHIPPER'S DOOR		TERMINAL		CONSIGNEE		RATE	CHARGES
SHIPPER Meatball Prod. 550 Main Street Fort Lee, N.J.										ADDRESS Galaxy Films 6774 M. Shippen 308 So Church St. Charlotte, N.C.		AIR CHARGE	12.90
CITY Fort Lee, N.J.										STATE N.J.		AIR CHARGE	1A 46.5
NO. PIECES										WEIGHT		PICKUP CHARGE	3.00
DESCRIPTION OF PIECES AND CONTENTS										SHIPPER'S REFERENCE NO.		DELIVERY CHARGE	45
2-92 lbs MEAT-102-103										46196		EXCESS VALUE	
"Meatball"												SHIPPER'S C.O.D.	
Cancel Storage												C.O.D. FEE AND/OR INS. CHG.	
IF FREIGHT TERMS OTHER THAN PREPAID OR COLLECT: ENTER BILLING NAME AND ADDRESS BELOW.													
TOTAL CHARGES \$ 21.00													
GOVERNMENT REGULATION REQUIRE PAYMENT WITHIN 6 DAYS													
SPECIAL INSTRUCTIONS 3/108										EXECUTED BY SHIPPER PER:		EXECUTED BY NOVO PER: JH	
RECEIVED IN GOOD ORDER EXCEPT AS NOTED										DATE		INDICATE TIME AM PM	

FEDERAL BUREAU OF INVESTIGATION

Date of transcription April 2, 19731

[redacted] Treasurer, Queen City Delivery Service, Incorporated, 4019 West Boulevard, Charlotte, North Carolina, stated that he had made a pick-up at Delta Airlines, Air Freight Section at Douglas Airport, Charlotte, North Carolina, on March 28, 1973, at 8:00 A. M. [redacted] stated he had picked up three items for Novo Airfreight, Charlotte, North Carolina, which had arrived at Charlotte, North Carolina, via Delta Airlines.

[redacted] stated two of the items picked up were film containers consigned to M and M Shipping, 308 South Church Street, Charlotte, North Carolina. [redacted] stated driver [redacted] for Queen City Delivery Service made the delivery of the film containers to M and M Shipping, 308 South Church Street, Charlotte, North Carolina.

b6
b7C

Interviewed on 3/28/73 at Charlotte, N. C. File # CE 145-448
by SA LEONARD H. MC COY:bcb Date dictated 4/2/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription April 2, 19731

[redacted]
Charlotte, North Carolina, advised that he is employed as a driver for Queen City Delivery Service, 4019 West Boulevard, Charlotte, North Carolina.

[redacted] stated he delivered two motion film containers to M and M Shipping Service, 308 South Church Street, Charlotte, North Carolina, at 11:35 A. M., on March 28, 1973. He stated the containers had a label containing "Meatball."

[redacted] stated the film containers had been delivered to M and M Shipping and signed for by one [redacted] an employee of M and M Shipping, 308 South Church Street, Charlotte, North Carolina.

[redacted] stated that [redacted] had signed a Novo Airfreight Corporation receipt acknowledging receipt of the film which had been returned to Novo Airfreight after delivery of the films.

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b7C

Interviewed on 3/28/73 at Charlotte, N. C. File # CE 145-448
by SA LEONARD H. MC COY:bc Date dictated 4/2/73

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription April 17, 1973

On April 12, 1973, Mr. [] Air Freight Manager, Delta Airlines, Douglas Airport, Charlotte, North Carolina, in response to a subpoena made available the following Delta Airlines shipping record.

Delta Airlines air bill number 006-EWR-34568866, dated February 23, 1973, with copy of Assembly B.

Mr. [] explained that this air bill reflected a shipment from Novo Air Freight, Newark, New Jersey, to Novo Air Freight, Charlotte, North Carolina. According to [] the air bill consisted of Assembly A, Assembly B, and Assembly C. He also furnished a copy of Assembly B which reflected three items of film which were picked up at the Delta Airlines Air Freight Terminal on February 25, 1973, by [] of Queen City Delivery Service. He further stated that Queen City Delivery Service handles the pick up and distribution of freight for Novo Air Freight Corporation.

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b7C

Interviewed on 4/12/73 at Charlotte, N. C. File # GE 145-457

by SA LEONARD H. MC COY:gs Date dictated 4/13/73

CE 145-457

On March 30, 1973, United States District Judge JAMES B. MC MILLAN, Western District of North Carolina at Charlotte, North Carolina, signed Show Cause and Temporary Restraining Orders to be served on the following:

M & M Film Service, Inc.
308 South Church Street
Charlotte, North Carolina;

Galaxie Film Exchange, Inc.
222 South Church Street
Room 105
Charlotte, North Carolina;

President
Galaxie Film Exchange
222 South Church Street
Room 105
Charlotte, North Carolina;

b6
b7c

Astor Art Theatre,
511 East 36th Street
Charlotte, North Carolina

Bonded Film Storage
550 Main Street
Fort Lee, New Jersey

CE 145-457

SERVICE OF LEGAL
DOCUMENTS

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 4/6/73

[] Manager, M and M Film Shipping Service, Inc., 308 South Church Street, Charlotte, North Carolina, was served with a temporary Restraining Order and a Show Cause Order plus copies of a Search Warrant and Affidavit for Search Warrant which were not executed.

[] stated that he is the Manager of the M and M Film Shipping Service and that they handle film for distribution for Galaxy Film Exchange, 222 South Church Street, Room 105, Charlotte, North Carolina.

[] further stated that there are presently two film containers containing film for the movie entitled "Meatball". [] pointed out the two containers both of which have a label with the word "Meatball" on the outside of the film container with the number 102. The second film container also contains the word "Meatball" with the number 103.

It was explained to Mr. [] that a Show Cause Hearing would be set for 9:30 a.m. on April 5, 1973, in the United States Post Office Building before United States Magistrate JOSEPH R. CRUCIANI. It was further explained to Mr. [] that the temporary Restraining Order prohibited the movement of the two film containers and they should be maintained at the M and M Film Shipping Service until after the hearing of the Show Cause Hearing on April 5, 1973.

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b7C

Interviewed on 3/30/73 at Charlotte, N. C. File # Charlotte 145-448

SA []
by SA LEONARD H. McCOY LHM:pbh Date dictated 4/2/73

32

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 4/6/73

On March 30, 1973, legal documents including a temporary Restraining Order, a Show Cause Order, plus unexecuted copies of a Search Warrant and Affidavit for Search Warrant were served on Mrs. [] Office Manager, Galaxy Film Exchange, Inc., 222 South Church Street, Room 105, Charlotte, North Carolina.

Mrs. [] stated that she is the Office Manager for Galaxy Film Exchange and would accept the service regarding the above described legal documents.

It was explained to Mrs. [] that the temporary Restraining Order prohibited Galaxy Film from moving or otherwise disposing of the two film containers of the film entitled "Meatball" presently in the possession of M and M Film Shipping Service, 308 South Church Street, Charlotte, North Carolina.

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b7C

It was also explained to Mrs. [] that a Show Cause Hearing was scheduled for April 5, 1973, at 9:30 a.m. in the Office of United States Magistrate JOSEPH R. CRUCIANI.

Interviewed on 3/30/73 at Charlotte, N. C. File # Charlotte 145-448
by SA []
SA LEONARD H. McCOY LHM:pbh Date dictated 4/2/73

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 4/6/73

On March 30, 1973, certain legal documents including a temporary Restraining Order and Order to Show Cause plus unexecuted copies of a Search Warrant and Affidavit for Search Warrant were served on Mr. [] President, Galaxy Film Exchange, Inc., 222 South Church Street, Room 105, Charlotte, North Carolina.

It was explained to Mr. [] that the temporary Restraining Order prohibited him from moving or otherwise disposing of the two film containers of the motion picture "Meatball" presently in the custody of M and M Film Shipping Service, 308 South Church Street, Charlotte, North Carolina.

Mr. [] was also advised that a Show Cause Hearing was scheduled for April 5, 1973, at 9:30 a.m. in the Office of the United States Magistrate JOSEPH R. CRUCIANI, Post Office Building, Charlotte, North Carolina.

b6
b7c

Mr. [] stated that the film had been shipped from Fort Lee, New Jersey, by Meatball Productions, 550 Main Street, Fort Lee, New Jersey. He said that Bonded Film Storage also of 550 Main Street, Fort Lee, New Jersey, is a large film warehouse which handles the shipping of motion picture film for film producers in the Eastern part of the United States, and that they were merely the custodial handler of the film whereas the company with the proprietary interest in the film was Meatball Productions.

Interviewed on 3/30/73 at Charlotte, N. C. File # Charlotte 145-448
by SA []
SA LEONARD H. McCOY LHM:pbh Date dictated 4/2/73

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 4/6/73

On March 30, 1973, certain legal documents including a Temporary Restraining Order, an Order to Show Cause, and unexecuted copies of a Search Warrant and Affidavit for Search Warrant were served on Mrs. [] Manager, Astor Art Theatre, 511 East 36th Street, Charlotte, North Carolina.

It was explained to Mrs. [] that the Temporary Restraining Order prohibited anyone from disposing of the "Meatball" film then playing at the Fox Drive-Inn Theatre, Old Statesville Road, Mecklenburg County, North Carolina.

Mrs. [] was also advised that a Show Cause Hearing was scheduled for April 5, 1973, at 9:30 A. M. in the Office of the United States Magistrate JOSEPH R. CRUCIANI, Post Office Building, Charlotte, North Carolina.

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b7C

Interviewed on 3/30/73 at Charlotte, N. C File # Charlotte 145-457

by SAS [] and [] Date dictated 4/2/73

CE 145-457

On April 5, 1973, a hearing was held before United States Magistrate JOSEPH R. CRUCIANI, Western District of North Carolina, at Charlotte, North Carolina, to show cause why a search warrant should not be executed against three copies of the motion picture film entitled "Meatball." The hearing was continued to April 9, 1973, in order to afford a viewing of the film "Meatball" by the United States Magistrate, Defense Counsel and the United States Attorney. The film was viewed at a private showing on April 9, 1973, at the Twentieth Century Fox Film Corporation projection room, 308 South Church Street, Charlotte, North Carolina.

Thereafter the show cause hearing was continued before United States Magistrate JOSEPH R. CRUCIANI, who found probable cause to believe this motion picture film entitled "Meatball" contained sufficient explicit sexual scenes to be evidence of the commission of a violation of Title 18, United States Code, Section 1462 (a). Mr. CRUCIANI on the same date signed search warrants which were thereafter executed by seizing one copy of the film at the Fox Drive-In Theater, Highway 115, North, Charlotte, North Carolina, and two copies of the film were seized on the premises of M & M Film Shipping Service, Inc., 308 South Church Street, Charlotte, North Carolina.

A search warrant was also served on Galaxy Film Exchange, Inc., 222 South Church Street for shipping records pertaining to the three copies of the "Meatball" film seized as described above.

On April 4, 1973, copies of Temporary Restraining Order, Order to Show Cause plus unexecuted copies of search warrant and affidavit were served on Meatball Productions, Bonded Film Storage, 550 Main Street, Fort Lee, New Jersey, by Special Agents of the Newark Office of the FBI.

CE 145-457

EXECUTION OF SEARCH

WARRANT

FEDERAL BUREAU OF INVESTIGATION

Date of transcription April 12, 1973

On April 10, 1973, a search warrant was served on M and M Film Shipping Service, Inc., 308 South Church Street, Charlotte, North Carolina.

The search warrant was served on [redacted] Manager, M and M Film Shipping Service.

The following items were seized pursuant to the search warrant:

Two containers, each containing four rolls of film of the motion picture "Meat Ball."

Two vault inventory record cards, No. 1 and No. 24.

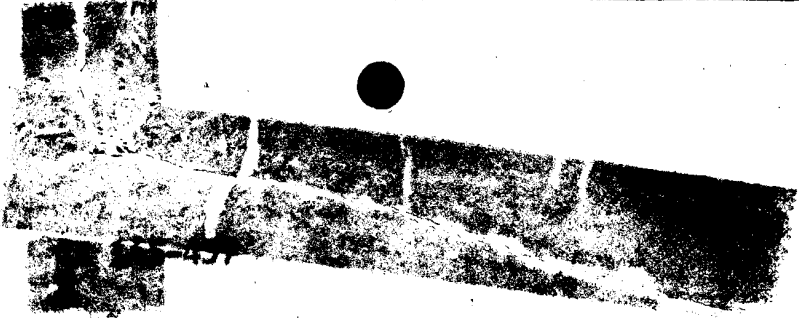
Mr. [redacted] explained that a vault inventory record card is made up each time a film container leaves his custody. Mr. [redacted] explained that card No. 24 reflects the Astor Theater, Charlotte, North Carolina, received the film "Meat Ball" on March 20, 1973, from M and M Shipping, Charlotte, North Carolina. Origin of the film, according to [redacted], was Bonded Film Storage, Fort Lee, New Jersey, playing dates for the Astor Theater were listed as March 21 - March 27, 1973. In the upper left hand corner of the card was printed "Galaxy Film Exchange, Post Office Box 1133 - 221 South Church Street, Charlotte, North Carolina."

Mr. [redacted] stated he recalled that the film container containing the "Meat Ball" film was picked up by an employee of the Astor Theater on March 20, 1973, but did not recall the name of the employee.

He also explained that vault inventory record card No. 1 showed the "Meat Ball" film was received from Bonded Film Storage, Fort Lee, New Jersey, and released on April 9, 1973, to a screening held at the Fox Viewing Room, 308 South Church Street, Charlotte, North Carolina. Date of receipt was not shown on the card. Mr. [redacted] explained this film container had been returned to his custody after the private screening on April 9, 1973, and was one of the containers seized pursuant to the search warrant served on April 10, 1973.

Interviewed on 4/10/73 at Charlotte, N. C. File # Charlotte 145-457

SAs [redacted] and
by LEONARD H. MC COY:gs Date dictated 4/12/73



He further stated that the shipping records pertaining to the two film containers presented at M and M Shipping, plus the one now being held at the Fox Drive-In Theater had been returned to Galaxy Films, 221 South Church Street.

He further stated that he knew of no other copies of the "Meat Ball" film being held by M and M Shipping.

THEATRE	CITY	STATE	DATE SHIPPED	PLAYING DATES	DUE BACK	DATE REC'D	FOOTAGE REPLAC'D	CONDITION OF FILM												DATE INSP'D	INSPECT BY	LOCATION	
								1	2	3	4	5	6	7	8	9	10	11	12			VAULT	SHELF
Landed Film Co.	New York	N.Y.						22	22									-1973-3/20	B	4	Bar		
Astoria	Oregon	OR	3/20	21-27	28																		

~~Edgely Film Exchange~~
P.O. Box 1133 - 271 So. Church St.
Charlotte, N.C. 28201

PRINT NO.

#1

TITLE-

MEAT BALL

COMPANY

#1

(MAKE ALL ENTRIES IN INK)

Color 4-7

FOOTAGE

REELS

~~Edgely Film Exchange~~
P.O. Box 1133 - 271 So. Church St.
Charlotte, N.C. 28201

NO. 1-EXCELLENT
NO. 2-GOOD-EXCEPT AS LETTERED
NO. 3-FAIR-FAIRLY
NO. 4-BAD-CARD IS TO BE TAKEN TO BOONER

C. CUES MISSING
S. SPROCKET DAMAGE
O. OIL SOAKED FILM
B. BUCKLED OR BRITTLE FILM
M. FILM MISSING
L. S. LIGHT SCRATCH
H. S. HEAVY SCRATCH
S. T. SOUND TRACK SCRATCH

THEATRE

CITY

STATE

DATE
SHIPPED

PLAYING
DATES

DUE
BACK

DATE
REC'D

FOOTAGE
REPLAC'D

CONDITION OF FILM

DATE
INSP'D

INSPECT
BY

LOCATION

VAULT SHELF

Edgely Film Exchange
Fort Lee, N.J. (Used Print)
Screening Nov 4/9 9 9 9
2222 = 1973 = 4/9 M. = 4 Prints

H. Sena - Video Lab. approval

#1

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription April 12, 1973

On April 10, 1973, a search warrant was served on Mrs. [REDACTED], Manager, Fox Drive-In Theater, Highway 115 North, Charlotte, North Carolina.

The following item was seized pursuant to the search warrant:

One container containing four rolls of film of the motion picture, "Meat Ball."

b6
b7c

Interviewed on 4/10/73 at Charlotte, N. C. File # Charlotte 145-457
by SA [REDACTED] and SA LEONARD H. MC COY:gs Date dictated 4/12/73

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 4/12/73

On April 10, 1973, a search warrant was served on [] President, Galaxy Film Exchange, Inc., 222 South Church Street, Charlotte, North Carolina. Following items were seized pursuant to the search warrant:

One copy Novo Airfreight Bill No. 8046929 dated March 27, 1973.

One copy Novo Airfreight Bill No. 8034676 dated February 23, 1973.

One copy Galaxy Film Shipping Instructions dated March 13, 1973.

[] advised that Galaxy Film Exchange is a motion picture film distributing company. He stated his company orders films from advertisements in trade publications and journals. He stated films are ordered on a "hand shake" contractual basis without any formal written order.

He stated Bonded Film Storage is a large warehousing and film distributing company in Fort Lee, New Jersey. He stated he had never visited the Bonded Film Storage facility in New Jersey but placed his orders to this location telephonically.

He stated the three copies of the "Meatball" film as evidenced by the Novo Airfreight bills described above had been received from "Meatball Productions", also of 550 Main Street, Fort Lee, New Jersey.

He further stated that his company never handled the film containers since they were shipped directly from Fort Lee to M and M Shipping, Charlotte, North Carolina. He stated that shipping documents concerning a particular film were received upon delivery of the film to M and M Shipping and then forwarded to Galaxy Film Exchange. He advised that once a film was released to an exhibitor a shipping instruction form was issued to the exhibitor showing the date the film was released by M and M Shipping, the play date, and instructions as to the disposition of the film after completion of the playing period.

Interviewed on 4/10/73 at Charlotte, N. C. File # Charlotte 145-457

SAS [] and
by LEONARD H. MCCOY :JNR Date dictated 4/12/73

CE 145-457

2

He stated that in the event the film moved to another exhibitor after finishing its showing, an additional shipping instructions would be issued by Galaxy Film to show the next destination of the film after completion of the second play date.

NOVO airfreight corp.

A SUBSIDIARY OF NOVO CORPORATION
P.O. BOX 7037 BLVD. STATION
PHILADELPHIA, PA. 19139

DESTINATION STATION

• NON-NEGOTIABLE AIRBILL •
Terms and Conditions on Reverse Side

CARD		AIRLINE	CITY	AIRLINE AIRBILL NO.	ASSY.	FLIGHT	DEST.	VIA	P/U CODE	DATE	FREIGHT TERMS <input type="checkbox"/> PREPAID <input type="checkbox"/> COLLECT <input type="checkbox"/> F.C.C.O.D. <input type="checkbox"/> C.O.D. <input type="checkbox"/> 3D PARTY		NOVO NO.	RATE		CHARGES		
BILLING NO.		SALES NO.	NOVO SHIPPER NO.	RECEIVED		SHIPPER'S DOOR		TERMINAL		CONSIGNEE	AIR CHARGE		8034676		25		12.50	
SHIPPER		F ADDRESS		T CITY		STATE		ZIP CODE		PICKUP CHARGE		AIR CHARGE		4.50		2.50		
FROM		CITY		STATE		ZIP CODE		ATTENTION		DELIVERY CHARGE		EXCESS VALUE		—		—		
NO. PIECES		WEIGHT		DESCRIPTION OF PIECES AND CONTENTS		SHIPPER'S REFERENCE NO.		DIM WT.		LENGTH		WIDTH		DEPTH		CU. IN.		
1		5.3		MEAT BALLS				X		X		X		X		X		
IF FREIGHT TERMS OTHER THAN PREPAID OR COLLECT: ENTER BILLING NAME AND ADDRESS BELOW.																		
SPECIAL INSTRUCTIONS		EXECUTED BY SHIPPER		EXECUTED BY NOVO		TIME		PER		PER		TOTAL CHARGES \$		19.65		GOVERNMENT REGULATIONS REQUIRE PAYMENT WITHIN 15 DAYS		
BY		DATE		INDICATE TIME		AM		PM		b6		b7C						

NOVO airfreight corp.

A SUBSIDIARY OF NOVO CORPORATION
P.O. BOX 7037 BLVD. STATION
PHILADELPHIA, PA. 19149

DESTINATION STATION

• NON-NEGOTIABLE AIRBILL •
Terms and Conditions on Reverse Side

CARD		AIRLINE	CITY	AIRLINE AIRBILL NO.	ASSY.	FLIGHT	DEST.	VIA	P/U CODE	DATE	FREIGHT TERMS <input type="checkbox"/> PREPAID <input type="checkbox"/> COLLECT <input type="checkbox"/> F.C.C.O.D. <input type="checkbox"/> C.O.D. <input type="checkbox"/> 3D PARTY		NOVO NO.	RATE		CHARGES		
BILLING NO.		SALES NO.	NOVO SHIPPER NO.	RECEIVED		SHIPPER'S DOOR		TERMINAL		CONSIGNEE	AIR CHARGE		8046929		12.90		4.65	
SHIPPER		F ADDRESS		T CITY		STATE		ZIP CODE		PICKUP CHARGE		AIR CHARGE		1A		3.00		
FROM		CITY		STATE		ZIP CODE		ATTENTION		DELIVERY CHARGE		EXCESS VALUE		—		—		
NO. PIECES		WEIGHT		DESCRIPTION OF PIECES AND CONTENTS		SHIPPER'S REFERENCE NO.		DIM WT.		LENGTH		WIDTH		DEPTH		CU. IN.		
2		12.0		MEAT-102-102		46196		X		X		X		X		X		
IF FREIGHT TERMS OTHER THAN PREPAID OR COLLECT: ENTER BILLING NAME AND ADDRESS BELOW.																		
SPECIAL INSTRUCTIONS		EXECUTED BY SHIPPER		EXECUTED BY NOVO		TIME		PER		PER		TOTAL CHARGES \$		21.00		GOVERNMENT REGULATIONS REQUIRE PAYMENT WITHIN 15 DAYS		
BY		DATE		INDICATE TIME		AM		PM		b6		b7C						

REMIT TO: DATE 3/13/73
Galaxy Film Exchange, Inc. PRODUCER MEAT BALL
P. O. Box 1133 — 222 So. Church St. Suite 105, Charlotte, N. C. 28201
RETURN TO:
DOMINANT

SHIP DATE	PLAY DATE	PRIOR DATES CANCELLED	SUBJECT
3/27	3/28-4/3		MEAT BALL

VIA ☐
FROM ASTOR,
CHARLOTTE
FOX DRIVE IN THEATRE
CHARLOTTE, N. C.

IMPORTANT: Mail Check 3 Days in Advance of Playdate and Prevent COD

LABELS

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/16/73

/

[redacted] Operations Manager, Meatball Productions, 550 Main Street, was served a subpoena on May 3, 1973, dated April 27, 1973, to appear in Charlotte, North Carolina, July 2, 1973, at 9:30 am, and he was to produce all records concerning shipment of the film "Meatball" from Bonded Film Warehouse, 550 Main Street, Fort Lee, New Jersey, to NOVO Air Freight, Charlotte, North Carolina, February 23, 1973, via NOVA Air Freight, Newark, New Jersey, under Air Bill Number 34568866B, and all records concerning the shipment of two prints of the film "Meatball" to Galaxy Films, c/o M&M Shipping, 308 South Church Street, Charlotte, North Carolina, March 27, 1973, under Delta Air Bill Number 58651843, and all records concerning the ownership of the film "Meatball".

[redacted] produced the shippers copy of NOVO Air Freight Bill Number 8046929, a xerox copy of which is attached, and an index card reflecting the home office address for Meatball Productions, Inc. A xerox copy of this card is also attached.

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In addition, [redacted] advised that on March 27, 1973, a Mr. [redacted] from the home office of Meatball Productions, telephonically advised him where and whom to ship the above two prints of Meatball to Charlotte, North Carolina.

Interviewed on 5/3/73 at Fort Lee, New Jersey File # Newark 145-1253
by SA [redacted] DLJ/sjf Date dictated 5/9/73

12
NK 145-1253

MEATBALL DISTRIBUTORS, INC.
P.O. Box 289
Harrison, N.Y.
Att: Mr. Craig Clark

NOVO airfreight corp.

A SUBSIDIARY OF NOVO CORPORATION

SHIPPER'S COPY

• NON-NEGOTIABLE AIRBILL •
Terms and Conditions on Reverse Side

P.O. BOX 7037 BLVD. STATION
PHILADELPHIA, PA. 19149

FREIGHT TERMS

☒ PREPAID ☐ COLLECT
☐ C.O.D. ☐ 3D PARTY

NOVO NO.

8046929

BILLING NO.	SALES NO.	NOVO SHIPPER NO.	RECEIVED	SHIPPER'S DOOR	TERMINAL	CONSIGNEE	RATE	CHARGES	
(2) SHIPPER	Meatball Prod.						Galaxy Films	AIR CHARGE	
F ADDRESS	550 Main Street						308 So Church St.	AIR CHARGE	
FROM CITY	Fort Lee, N.J.						Charlotte, N.C.	PICKUP CHARGE	
NO. PIECES	WEIGHT	DESCRIPTION OF PIECES AND CONTENTS				SHIPPER'S REFERENCE NO.	EXCESS VALUE		
(4) 2	92 lbs	MEAT-102-103				46196			
Meatball									
Cancel Storage									
IF FREIGHT TERMS OTHER THAN PREPAID OR COLLECT: ENTER BILLING NAME AND ADDRESS BELOW.									
DECLARED VALUE						TOTAL CHARGES \$			
300.00						GOVERNMENT REGULATIONS REQUIRE PAYMENT WITHIN 15 DAYS			
SPECIAL INSTRUCTIONS						EXECUTED BY SHIPPER			
EXECUTED BY NOVO						TIME			
PER: JH						AM			
RECEIVED IN GOOD ORDER EXCEPT AS NOTED						PM			
BY:						DATE			
FO						INDICATE TIME			

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/16/73

[redacted] Terminal Manager, NOVO Air Freight, Newark Airport, was served a subpoena, May 3, 1973, dated April 27, 1973, which instructed that he produce all records concerning the shipment of the film "Meatball" from Bonded Film, 550 Main Street, Fort Lee, New Jersey, to Charlotte, North Carolina, on February 23, 1973, and March 27, 1973, via Delta Air Lines.

[redacted] made available NOVO Air Bill Number 8034676, which reflected that on February 23, 1973, Print Number 24, titled "Meatball", was shipped via Airline Air Bill Number 34568866, to Galaxy Film, c/o M&M, 308 South Church Street, Charlotte, North Carolina, from Marvin, 550 Main Street, Fort Lee, New Jersey.

A xerox copy of this bill is attached.

NOVO Air Bill Number 8046929, dated March 27, 1973, reflects that two pieces, Print Numbers 102 and 103, of "Meatball", were shipped via Airline Air Bill Number 58651843, to Galaxy Films, c/o M&M Shipping, 308 South Church Street, Charlotte, North Carolina, and the shipper is listed as Meatball Productions, 550 Main Street, Fort Lee, New Jersey.

b6
b7C

A xerox copy of this bill is attached.

Interviewed on 5/3/73 at Fort Lee, New Jersey File # Newark 145-1253
by SA [redacted] DLJ/sjf Date dictated 5/9/73

NOVO airfreight corp. 2

A SUBSIDIARY OF NOVO CORPORATION
P.O. BOX 7037 BLVD. STATION
PHILADELPHIA, PA. 19149

ORIGINAL TERMINAL

• NON-NEGOTIABLE AIRBILL •
Terms and Conditions on Reverse Side

BLUE BOX DIGIT

Not a Part of NOVO No.

CARD	AIRLINE	CITY	AIRLINE AIRBILL NO.	ASSY.	FLIGHT	DEST.	VIA	P/U CODE	DATE	FREIGHT TERMS
1	00	24	18651843			CLT			3/27/73	<input checked="" type="checkbox"/> PREPAID <input type="checkbox"/> F.C.C.O.D. <input type="checkbox"/> C.O.D. <input type="checkbox"/> 3D PARTY

NOVO NO.	8046929
RATE	
CHARGES	

(2) SHIPPER	Meatball Prod.	(3) CONSIGNEE	Galaxy Films
F ADDRESS	550 Main Street	T CITY	Charlotte, N.C.
R CITY	Fort Lee, N.J.	STATE	N.C.
M CITY		ZIP CODE	

AIR CHARGE	12.90
AIR CHARGE	1A 4.65
PICKUP CHARGE	3.00
DELIVERY CHARGE	45
EXCESS VALUE	

(4)	NO. PIECES	WEIGHT	DESCRIPTION OF PIECES AND CONTENTS	SHIPPER'S REFERENCE NO.
	2	92 lbs	MEAT-102-103	46196

SHIPPER'S C.O.D.	
C.O.D. FEE AND/OR INS. CHG.	

(5)	NO. PIECES	WEIGHT	DESCRIPTION OF PIECES AND CONTENTS	SHIPPER'S REFERENCE NO.
	1	50	Meatball #24	

TOTAL CHARGES \$ 21.00

GOVERNMENT REGULATIONS REQUIRE PAYMENT WITHIN 15 DAYS

IF FREIGHT TERMS OTHER THAN PREPAID OR COLLECT: ENTER BILLING NAME AND ADDRESS BELOW.

SPECIAL INSTRUCTIONS	EXECUTED BY SHIPPER	EXECUTED BY NOVO	TIME
3/108	PER: [Signature]	PER: [Signature]	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.

FO	RECEIVED IN GOOD ORDER EXCEPT AS NOTED	DATE	INDICATE TIME
	BY: [Signature]		A.M. P.M.

NOVO airfreight corp.

A SUBSIDIARY OF NOVO CORPORATION
P.O. BOX 7037 BLVD. STATION
PHILADELPHIA, PA. 19149

ORIGINAL TERMINAL

• NON-NEGOTIABLE AIRBILL •
Terms and Conditions on Reverse Side

BLUE BOX DIGIT

Not a Part of NOVO No.

CARD	AIRLINE	CITY	AIRLINE AIRBILL NO.	ASSY.	FLIGHT	DEST.	VIA	P/U CODE	DATE	FREIGHT TERMS
1	00	24	31568866			CLT			2/23/73	<input type="checkbox"/> PREPAID <input checked="" type="checkbox"/> COLLECT <input type="checkbox"/> F.C.C.O.D. <input type="checkbox"/> C.O.D. <input type="checkbox"/> 3D PARTY

NOVO NO.	8034676
RATE	
CHARGES	

(2) SHIPPER		(3) CONSIGNEE	Galaxy Films
F ADDRESS	550 Main Street	T CITY	Charlotte, N.C.
R CITY	Fort Lee, N.J.	STATE	N.C.
M CITY		ZIP CODE	

AIR CHARGE	25
AIR CHARGE	12.90
PICKUP CHARGE	1A 4.65
DELIVERY CHARGE	2.50
EXCESS VALUE	

(4)	NO. PIECES	WEIGHT	DESCRIPTION OF PIECES AND CONTENTS	SHIPPER'S REFERENCE NO.
	1	50	Meatball #24	

SHIPPER'S C.O.D.	
C.O.D. FEE AND/OR INS. CHG.	

IF FREIGHT TERMS OTHER THAN PREPAID OR COLLECT: ENTER BILLING NAME AND ADDRESS BELOW.

(5)	NO. PIECES	WEIGHT	DESCRIPTION OF PIECES AND CONTENTS	SHIPPER'S REFERENCE NO.
	1	50	Meatball #24	

TOTAL CHARGES \$ 19.65

GOVERNMENT REGULATIONS REQUIRE PAYMENT WITHIN 15 DAYS

SPECIAL INSTRUCTIONS	EXECUTED BY SHIPPER	EXECUTED BY NOVO	TIME
	PER: [Signature]	PER: [Signature]	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.

FO	RECEIVED IN GOOD ORDER EXCEPT AS NOTED	DATE	INDICATE TIME
	BY: [Signature]		A.M. P.M.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/16/73

[redacted] Operations Manager, Bonded Film Storage, 550 Main Street, was served a subpoena on May 3, 1973, dated April 27, 1973, to appear in Charlotte, North Carolina, July 2, 1973, at 9:30 am, and he was to produce all records concerning shipment of the film "Meatball", from Bonded to NOVA Air Freight, Charlotte, North Carolina, February 23, 1973, via NOVA Air Freight, Newark, New Jersey, under Air Bill Number 34568866B.

As a result of the above subpoena, [redacted] made available the following documents:

One NOVO Air Freight Bill Number 8034676.

One Bonded Film Storage Shipping Sheet dated February 23, 1973.

One Print Record.

One Receiving Sheet dated February 23, 1973.

One Print Number Sheet.

b6
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The NOVO Air Freight Bill Number 8034676, reflects that on February 23, 1973, Bonded Film Storage, 550 Main Street, Fort Lee, New Jersey, listing [redacted] as the shipper, sent Print Number 24, collect, consisting of one piece, weight is 50 pounds, valued at \$50., titled "Meatball", to Galaxy Film, c/o M&M, 308 South Church Street, Charlotte, North Carolina.

The Bonded Film Storage Shipping Sheet, dated February 23, 1973, reflects that on February 23, 1973, "Meatball", Print Number 24, was sent to Galaxy, c/o M&M, Charlotte, on a permanent basis, via NOVO, collect.

Interviewed on 5/3/73 at Fort Lee, New Jersey File # Newark 145-1253
by SA [redacted] SA DLJ/sjf Date dictated 5/9/73

2
NK 145-1253

The Print Record reflects that Print Number 24 was received by Bonded Film Storage, February 23, 1973, from Detroit, and was sent to Charlotte, February 23, 1973, and that the film is listed under the Marvin Account.

The Receiving Sheet Number 38209, dated February 23, 1973, reflects "Meatball", Print Number 24, was received from Detroit, Michigan, under Waybill Number 611902.

The Print Number Sheet reflects that Print Number 24 of "Meatball" was received from Detroit, February 23, 1973, and shipped to Galaxy, c/o M&M, Charlotte, North Carolina, February 23, 1973.

Xerox copies of the above are attached.

[redacted] advised that [redacted] is located at [redacted]
[redacted] telephone number [redacted] New
York City.

b6
b7C

3
NR 145-1053

NOVO airfreight corp.

A SUBSIDIARY OF NOVO CORPORATION

SHIPPER'S COPY

• NON-NEGOTIABLE AIRBILL •
Terms and Conditions on Reverse Side

P.O. BOX 7037 BLVD. STATION
PHILADELPHIA, PA. 19149

FREIGHT TERMS

☐ PREPAID ☒ COLLECT
☐ C.O.D. ☐ 3D PARTY

NOVO NO.
8034676

BILLING NO.	SALES NO.	NOVO SHIPPER NO.	RECEIVED	DATE	3/23/73	COMM. NO.	3	SHIPPER'S OR TERMINAL	10	ADDRESS	Galaxy Film Co. Inc. 308 S Church Street Charlotte, N.C.	CITY	CHARLOTTE	STATE	N.C.	ZIP CODE	75201	ATTENTION		RATE	CHARGES
(2) SHIPPER'S																					
FROM																					
TO																					
NO. PIECES	1	50																			
WEIGHT																					
DESCRIPTION OF PIECES AND CONTENTS																					
SHIPPER'S REFERENCE NO.																					
EXCESS VALUE																					
SHIPPER'S C.O.D.																					
C.O.D. FEE AND/OR INS. CHG.																					
TOTAL CHARGES \$																					
GOVERNMENT REGULATIONS REQUIRE PAYMENT WITHIN 15 DAYS																					
SPECIAL INSTRUCTIONS																					
EXECUTED BY SHIPPER																					
PER																					
EXECUTED BY NOVO																					
PER																					
RECEIVED IN GOOD ORDER EXCEPT AS NOTED																					
DATE																					
INDICATE TIME AM PM																					

b6
b7C

WHITE — BONDED OFFICE COPY
PINK — CONFIRMATION COPY
YELLOW — DUP. OFFICE COPY

For Account of

Date _____

2/23/73

[illegible]

b6
b7C

FIN

ACCOUNT BOOKER

93914

SIGNATURE

54

5
NK 145-1253

BONDED FILM DISTRIBUTOR'S
PRINT RECORD

b6
b7C

ACCOUNT

NO. OF SINGLE REELS

8

PICTURE MEAT BALLS

STORAGE #	PRINT #	RECEIVED		PERM. SHIP		STORAGE #	PRINT #	RECEIVED		PERM. SHIP	
		FROM	DATE	TO	DATE			FROM	DATE	TO	DATE
X	6	Columbus	1/5/73	Camden	1-19-73						
X	12	"	"	MEAT. BALLS	3/18/73						
X	19	"	"	Detroit	2-7-73						
X	20	"	"	Sacramento Calif.	1-30-73						
X	21	"	"	MEAT. BALLS	1-18-73						
X	22	"	"	Detroit	2-7-73						
X	23	"	"	St. Louis MO	2-14-73						
X	24	"	"	Louisiana	1-25-73						
X	25	"	"	Ohio	"						
X	26	"	"	Camden	1-23-73						
X	1	Boston Mass	1/10/73	"	"						
X	3	Key Port N.I.	"	Buffalo	1-18-73						
X	2	Buffalo NY	1/16/73	MEATBALL	3-12-73						
X	28	BKLYN.	1/18/73	Camden	1-19-73						
X	29	"	"	"	"						
X	30	Brooklyn	"	"	"						
X	31	New Roch NY	"	"	1-31-73						
X	20	DETROIT	2/5/73	Arizona	2-20-73						
X	22	"	"	MEATBALL	3-14-73						
X	24	DETROIT	2/23/73	Chas.	2-23-73						
X	23	CLEAN NY	3-2-73	MEATBALL	3-14-73						
X	29	Tempe ARIZ.	"	"	3-22-73						

550 MAIN STREET, FT. LEE, N. J. 07024

№ 38209

b6

b7d

DATE RECEIVED

ACCOUNT**ADDRESS**

CARTON	CASES	TITLE	PRINT # TAG # OTHER IDENTIF.	RECEIVED FROM (CITY)	WAYBILL #	PRE-PAID	REC. CHARG.	VIA CARRIER
OK	10	5 Pts Class of 74	26 to 30	J.M.G. film Cleveland, Ohio	072-004870		50.21	P.I.
OK	36	18 Pts Roomster #91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-104						



PRINT NO.
24

STORAGE NO.

FEATURE TITLE

MEATBALL

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RECEIVED FROM

RECEIVED
DATE

RECEIVED

NO. OF
SINGLE RLS

REMARKS

CARD NO.

COUNTED
UNMOUNTED

8

THEATRE

CITY AND STATE

DATE
OUT

PLAY
DATE

DUE
BACK

DATE
IN

CONDITION OF REELS

SCR-
LH

SPK
W-G

SEAL #

INSPECTION

LOCAT

BY

DATE

VAULT

1. (Foley 9/17/11) Gable 1/1/12 Rm 1

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Court Okays Seizure Of Movie Shown Here

United States Magistrate Joseph R. Cruciani ruled Monday that the movie "Meatball," which ended a run at the Fox Drive-In last week,

was "probably pornographic" and authorized FBI agents to seize it.

The ruling followed a hearing at which the federal gov-

ernment alleged the film was "obscene, lewd, lascivious, filthy and indecent."

Assistant United States Attorney David B. Sentelle requested the hearing in order to obtain a search warrant to seize the film as evidence for criminal prosecution.

Charges of interstate transportation of pornography have not yet been filed.

The Justice Department filed a complaint against the film about 10 days ago. United States district Judge James McMillan issued an order setting Monday's hearing and ordering the drive-in, the distributors and the shippers of the film not to destroy it.

Cruciani viewed the movie, showing explicit sexual acts between men and women and group sex, Monday afternoon before making the ruling and signing a search warrant authorizing FBI agents to seize the film.

The defense held that the film wasn't obscene because it had educational and entertainment merit, didn't go beyond national standards in its depiction of sex and didn't appeal to a prurient interest in sex.

The only defense witness Dr. Myron Liptzin, a member of the psychiatry department at the University of North Carolina School of Medicine, said the film did not pass the tests of obscenity. He said it showed "normal sexual behavior by adults."

Liptzin said the activity was depicted as pleasurable, and he has used similar films in counseling and treating people.

CE 145-457

The following investigation was conducted at Harrison, New York and New York City, New York, concerning the following individuals associated in the direction, production, ownership and distribution of the motion picture "Meatball:"

HERBERT S. NITKE, a principal in Meatball Productions

[REDACTED] Booking Agent
Country wide Theaters, Inc.

GERARD DAMIANO, Writer, Director and
Editor of motion picture "Meatball"

[REDACTED] President,
Marvin Films

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/23/73

HERBERT NITKE was contacted at his residence, 5 Park Drive South. He was immediately advised of the identities of the interviewing Agents. He was furnished a copy of "Interrogation; Advice of Rights" form, which he read in the presence of Special Agents [] and []. NITKE stated that he understood the contents of said form, however, he refused to sign same.

NITKE voluntarily furnished the following information: He and [] are principals in the following firms, all of which are located at his residence, 5 Park Drive South:

Harrison, NY
Country Wide Theaters, Incorporated
Yorkview Theater Corporation
Wolverine Properties, Limited
Beta Theater Corporation
Meatball Productions
UCI Corporation
Fayette Theater Corporation
Theta Theater Corporation
Panther Theater Corporation
Pierre Productions.

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Relative to Post Office Box 289, Harrison, New York, NITKE advised that the latter POB is listed in the names of those firms set forth previously. NITKE stated that he is the producer of the film entitled "The Devil in Miss Jones". He said that the latter picture was written, directed and edited by GERARD DAMIANO, who also wrote, directed and edited the film "Deep Throat".

NITKE stated that prints of the film entitled "The Devil in Miss Jones" are stored at Bonded Film Storage Company, Incorporated, Fort Lee, New Jersey, in his Meatball Productions, Incorporated account. NITKE refused to make any statement relative to the distribution of the film entitled "The Devil in Miss Jones" or the motion picture film entitled "Meatball", which NITKE readily admitted was his.

Interviewed on 5/14/73 at Harrison, New York File # NY145- 3422
by SAS [] and []
men Date dictated 5/18/73

NY 145-3422

NITKE identified [redacted] also known as [redacted] as one of his employees. Also he identified [redacted] as one of his employees and added that [redacted] is the booking agent for Country Wide Theaters, Inc.

At this point, NITKE stated that he would have nothing further to say relative to the motion picture films "The Devil in Miss Jones" and "Meatball".

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The following description of NITKE was obtained through interview and observation:

Name	<u>HERBERT S. NITKE</u>
Sex	Male
Race	White
Date of Birth	<u>January 20, 1916</u>
Place of Birth	<u>Bronx, New York</u>
Height	5 feet 11 inches
Weight	180 pounds
Hair	Brown, streaked gray
Eyes	Brown
Marital Status	Separated
Children	two, ages 9 and 12
Military Service	United States Air Force 1942-45 Honorable Discharge
Occupation	Motion picture producer
Residence	<u>5 Park Drive South</u> <u>Harrison, New York</u>

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/23/73

[redacted] was contacted at the residence of HERBERT S. NITKE, 5 Park Drive South, Harrison, New York. He was immediately advised of the identities of the interviewing Agents. He was furnished a copy of "Interrogation; Advice of Rights" form, which he read in the presence of Special Agents [redacted] and [redacted]. After reading the latter form, [redacted] stated that he was fully aware of his constitutional rights.

[redacted] furnished the following information:

He has been the booking agent for the Country Wide Theaters, Incorporated for approximately 2½ years. He said that the latter corporation is currently located at the NITKE residence.

[redacted] refused to make any statement relative to his possible involvement in the pickup of seven prints of the motion picture film entitled "The Devil in Miss Jones" at Bonded Film Storage Company, Fort Lee, New Jersey, for the account of "Meatball Productions" on March 26, 1973.

[redacted] denied booking the film "The Devil in Miss Jones" into the Crown Theater, New Haven, Connecticut. He stated that he has no knowledge as to who transported the film "The Devil in Miss Jones" to the Crown Theater and refused to make any statement as to his knowledge of the final disposition of the latter mentioned seven prints of the motion picture film entitled "The Devil in Miss Jones".

[redacted] when questioned as to whether or not he was responsible for booking the film entitled "Meatball" into any theater in the United States, said that he would not make any statement concerning the latter.

[redacted] when questioned as to whether or not any personally owned automobile was used at any time in connection with transporting any motion picture film handled by him at any time said he would have nothing to say in connection with the latter

Interviewed on 5/14/73 at Harrison, New York File # NY145-3422
by SAS [redacted] and [redacted] men Date dictated 5/18/73

NY 145-

The following description of [] was obtained through interview and observation:

Name	[]
Sex	Male
Race	White
Age	32
Height	5 feet, 6 inches
Weight	155 pounds
Hair	Black, streaked gray
Eyes	Hazel
Employment	Booking agent for Country Wide Theaters, Incorporated 5 Park Drive South Harrison, New York
Marital Status	Married
Wife	[]
Children	Age 30 3, ages 3, 5 and 7
Military Service	United States Army Number []
Social Security #	[]
Arrests	None admitted
Residence	[] Yorktown Heights, New York.

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FEDERAL BUREAU OF INVESTIGATION

5/18/73

Date of transcription

GERARD DAMIANO was contacted at the residence of HERBERT NITKE, 5 Park Road South, Harrison, New York. He was immediately advised of the identities of the interviewing agents. Special Agent (SA) [redacted] furnished him with a copy of an "Interrogation: Advice of Rights" form which he, DAMIANO, read in the presence of SAs [redacted] and [redacted]. After reading the latter form, DAMIANO advised that he understood the contents of said form, however, he declined to sign same.

DAMIANO furnished the following information:

He was born August 4, 1928, in the Bronx, New York, is married, and resides with his wife and two children at 30-20 75th Street, Jackson Heights, Queens, New York, residence telephone 478-8861. He is self-employed as a motion picture film writer, director, producer and editor.

DAMIANO advised that he and LOUIS PERAINO, whom he refused to further identify, started Damiano Film Productions, Incorporated, around February or March, 1971. At that time their office was located on West 42nd Street, between 7th and 8th Avenue, New York, New York. DAMIANO stated that he had a 1/3 interest in the corporation and LOUIS PERAINO had the remaining 2/3 interest. DAMIANO said that he has never known LOUIS PERAINO's residence or residence telephone number. He said that he first met LOUIS PERAINO through mutual acquaintance whom he refused to identify. When he and PERAINO were in agreement concerning the setting up of Damiano Film Productions, Incorporated, he, DAMIANO, was to make the motion picture film and PERAINO would supply the money necessary for the production of the motion picture film. Their first venture was a motion picture film entitled, "SEX USA". This was not a hardcore pornographic motion picture film as it only depicted simulated sex acts. He recalls that he and PERAINO after setting up Damiano Film Productions, Incorporated, worked for three or four months without a salary. After

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Interviewed on 5/14/73 at Harrison, New York File # NY 145-3400
by SA [redacted] and
SA [redacted] /JJM:tm Date dictated 5/18/73

NY 145-3400

they had received their share of the proceeds in connection with the motion picture film entitled, "SEX USA", they thereafter received a salary of \$150.00 per week.

From the proceeds of the motion picture film entitled, "SEX USA", he and PERAINO then made the motion picture film entitled, "Deep Throat" which he DAMIANO admitted writing, directing and editing. "Deep Throat" was made at a cost of \$25,000. The picture was shot in the Miami, Florida area. DAMIANO said that quite a few scenes were shot at the Voyager Motel on Biscayne Boulevard, Miami, Florida and other scenes were shot at the residences of friends or a "friend of a friend" none of whom DAMIANO was willing to identify. Relative to the photographer who shot this picture, DAMIANO stated that he did not care to identify this individual. Furthermore, he declined to identify any of the participants in this picture with the exception of LINDA LOVELACE, the picture's leading female star. DAMIANO said that it is his recollection that the motion picture film entitled "Deep Throat" was shot around Thanksgiving Day in November, 1971. He said that many of the participants in this film stayed at the Voyager Motel during the shooting of the film and that he, DAMIANO, picked up the motel and food bill for these individuals.

Relative to LINDA LOVELACE, DAMIANO stated that he first met her business manager one CHUCK TRAYNOR, who visited him in his office on West 42nd Street, New York, New York, shortly after he, DAMIANO went into business. DAMIANO recalls that CHUCK TRAYNOR at that time was making the rounds of motion picture producers in the New York City area in order to get LINDA LOVELACE employment. It was at this time that CHUCK TRAYNOR gave him, DAMIANO, his telephone number in Miami, Florida. He told TRAYNOR that if he, DAMIANO were in Miami, Florida, he would look him up. He does not recall whether or not it was he or his production manager who initiated the contact of CHUCK TRAYNOR for the services of LINDA LOVELACE in the motion picture film entitled, "Deep Throat", when they arrived in Miami, Florida to film the picture. DAMIANO declined to identify the production manager.

DAMIANO stated that they made the film "Deep Throat" in six or seven days. It is his recollection

NY 145-3400

that his production manager, whom he again refused to identify sent the undeveloped film of Deep Throat to Precision Laboratory at 630 9th Avenue, New York, New York. He has no idea how the undeveloped film was sent to New York but opined that his production manager or one of his assistants probably transported the film back to New York by an unknown mode of transportation.

DAMIANO stated that it is his recollection that Precision Laboratory developed the original "DEEP THROAT" negative. Precision Laboratory had some difficulty with the color in the prints and the negative was then given to another film laboratory in the New York City area by , he believes, LOUIS PERAINO to make positive prints.

After completing the motion picture film entitled, "Deep Throat" he and PERAINO then made a horror film, first titled "Muldavo" which was later changed to "Legacy of Saton". He recalls that the latter picture was shot in approximately 10 days during March or April, 1972. During the shooting, of the latter picture, LOUIS PERAINO constantly hounded him about being behind in the shooting schedule and accused him of over budgeting. Furthermore, PERAINO was displeased with his direction of the picture; fired him and hired another director to complete the picture. Approximately one week later LOUIS PERAINO asked him to come back to complete the picture and edit same, which he did. When he completed the latter work he told LOUIS PERAINO that he wanted to leave the firm. LOUIS PERAINO did not object to his leaving and asked him if he wanted to sell out his 1/3 interest in the firm and also inquired of him as to what he, DAMIANO, thought his share was worth. According to DAMIANO they settled on a figure of \$15,000. PERAINO agreed to pay him \$800 per month until the \$15,000 was paid to him. PERAINO had paid him the sum of \$800 per month up until April, 1973 when he failed to receive a payment from PERAINO. PERAINO still owes him 7 or \$8000. It is DAMIANO's recollection that the \$800 per month was paid by check made out to him and drawn on the account of Damiano Film Productions, Incorporated. The checks were originally signed by LOUIS PERAINO but believes some of the latter checks were signed by a PHIL PARISI (phonetic) DAMIANO said he had no idea as to what association PHIL PARISI had with LOUIS PERAINO or with Damiano Film Productions, Incorporated. When questioned as to whether

NY 145-3400

or not he knew PHIL PARISI and for how long a period he had known him, DAMIANO said he had met him at various motion picture film screenings in the New York City area. DAMIANO declined to describe LOUIS PERAINO, and PHIL PARISI. DAMIANO added that he believes that DAMIANO Film Productions, Incorporated moved from West 42nd Street, New York, New York, to 630 9th Avenue, sometime during the latter part of 1971 or the beginning of 1972. As previously stated he disassociated himself from LOUIS PERAINO and DAMIANO Film Productions, Incorporated in March or April, 1972. He then returned for a short period of time to complete the horror film "Legacy of Satan" and finally disassociated himself around June or July, 1972 when he sold his share of the business to LOUIS PERAINO for \$15,000. Since then he has not seen or heard from LOUIS PERAINO.

DAMIANO added that at no time did anyone bring any type of pressure on him to sell his interest in DAMIANO Film Productions, Incorporated.

DAMIANO admitted that he is the writer, director, and editor of the motion picture film entitled, "DEVIL IN MISS JONES" and "MEATEBALL". He said that he made the latter two films for HERBERT NITKE. He declined to make any statement relative to the making of these films and his possible knowledge of their distribution.

The following description of DAMIANO was obtained through observation and interview:

Name	GERARD DAMIANO
Also known as	Jerry Gerrard
Sex	Male
Race	White
Date of birth	August 4, 1928
Place of birth	Bronx, New York
Height	5 feet, 7 inches
Weight	165
Hair	Grey, wavy, streaked black
Eyes	Brown
Tatoos	Scroll on right forearm

NY 145-3400

Military Service	United States Navy 1945-1949, Honorable Discharge
Social Security Account Number	074-20-8733
Marital status	Married
Wife	[redacted] nee [redacted] age 32.
Children	Two, Boy age 8, girl age 7
Residence	30-20 75th Street, Jackson Heights, Queens, New York 478-8861
Employment	Self-employed as Motion Picture Film, writer producer, director and editor.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/30/73

[redacted] President, Marvin Films Corporation, 1585 Broadway, New York, New York, was contacted at the latter address. He was immediately advised of the identity of the interviewing Agent. He was furnished a copy of "Interrogation; Advice of Rights" form, which he read in the presence of SA [redacted] and stated he understood the contents of said form.

[redacted] advised that he has never been approached at any time to handle the distribution of the motion picture film entitled "The Devil in Miss Jones".

[redacted] refused to discuss his association with HERBERT S. NITKE, [redacted] and [redacted] all of Country Wide Theaters, Incorporated, 5 Park Drive South, Harrison, New York.

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At this point, Mr. [redacted] stated that he had nothing further to say to the FBI.

Interviewed on 5/21/73 at New York, New York File # NY145-3422
by SA [redacted] :men Date dictated 5/25/73

CE 145-457

New York Office by communication dated May 7, 1973, advised [redacted], President of Marvin Films Corporation, 1585 Broadway, New York, telephone number 212-765-9544, was incorporated under laws of New York State, July 1966.

Officers of the corporation are [redacted] President and [redacted] (Mrs. [redacted], Secretary-Treasurer).

[redacted] was born in 1931 and has been in the motion picture business for 17 years. In the past, he has worked for Lobers Pictures, Inc., Universal Pictures, Inc., and Century Theatres. [redacted] is not active in the management of the corporation.

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Marvin Films Corporation operates as a motion picture distributor.

[redacted] was indicted by a Federal Grand Jury at Memphis, Tennessee, on February 15, 1973, and charged with violation of Title 18, United States Code, Section 371 (Conspiracy to transport in interstate commerce the film entitled "School Girl." On February 20, 1973, [redacted] was arrested by Special Agents of the New York Office and arraigned the same day before United States Magistrate, Southern District of New York. [redacted] was later released on his own recognizance.

NY 145-

The following investigation was conducted by SA [redacted]

On May 8, 1973, [redacted] Postmaster, United States Post Office, Harrison, New York, advised that Post Office Box 289, Harrison, New York, was rented on January 23, 1973, in the name of [redacted] [redacted] Harrison, New York. A business was listed as Country Wide Theatres, Inc., 226 West 47th Street, New York City - motion picture business. Other companies listed with above Post Office Box number are:

Yorkview Theatre Corporation
Wolverine Properties Limited
UCI Corporation
Herb Nitke and Gerard Damiano
Fayette Theatre Corporation
Theta Theatre Corporation
Panther Theatre Corporation
Pierre Productions

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The Cole's Directory lists HERBERT S. NITKE, telephone numbers 967-5642 and HERBERT NITKE, 967-7197, both at 5 Park Drive South, Harrison, New York.

It is noted that NITKE's residence is located on the grounds of the Westchester Country Club, Harrison, New York.

The Westchester Credit and Collection Bureau, Inc., White Plains, New York, as checked on May 8, 1973, contained the following concerning HERBERT NITKE:

NITKE and his wife, [redacted] have resided at 5 Park Drive South, Harrison, New York, since 1965. NITKE is listed as the President of Panther Theatres Corporation, 1501 Broadway, New York, New York, now at 226 West 47th Street, New York, New York.

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NITKE also shows an address of 61 East 80th Street, New York City.

NITKE has a regular checking account at the Royal National Bank, which was opened on December 14, 1966.

NITKE has a Federal tax lien of \$8,141 as of December 6, 1966.

On August 7, 1970, a judgement was filed in the County Court, White Plains, New York, against HERBERT NITKE, 230 Park Avenue, New York City, by Harry Winston, Inc. for \$4,062.25.

On December 23, 1970, a judgement was filed in the County Court, White Plains, New York, against HERBERT NITKE, 5 Park Drive South, Rye, New York, by [redacted] for \$11,243.30.

On May 12, 1971, a judgement was filed in the County Court, White Plains, New York, against HERBERT and [redacted] [redacted] 5 Park Drive South, Rye, New York, by New York State Tax Commission for \$15,225.16.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHARLOTTE	OFFICE OF ORIGIN CHARLOTTE	DATE 9/12/73	INVESTIGATIVE PERIOD 5/24/73 - 9/10/73
TITLE OF CASE CHANGED MOTION PICTURE FILM ENTITLED "MEATBALL"; DIRECTOR, GERARD DAMIANO, Aka. Jerry Gerard; DISTRIBUTORS: MARVIN FILMS CORPORATION, [REDACTED] PRESIDENT; MEATBALL PRODUCTIONS, INC.; COUNTRY WIDE THEATRES, INC.; HERBERT S. NITKE, PRESIDENT; [REDACTED] EMPLOYEE, MEATBALL PRODUCTIONS, INC.; CHARLES HENRY HODGES, OWNER, CASTOR ART THEATER, FOX DRIVE IN THEATRE		REPORT MADE BY SA LEONARD H. MC COY	TYPED BY egp
		CHARACTER OF CASE ITOM - CONSPIRACY	

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Title marked changed to reflect middle name of subject
CHARLES HENRY HODGES which was previously carried as **CHARLES S. HODGES.**

REFERENCES:

Charlotte report of SA LEONARD H. MC COY, 6/21/73.

- P -

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED					SPECIAL AGENT IN CHARGE		
COPIES MADE:					DO NOT WRITE IN SPACES BELOW		
1 - Bureau (145-50563) <i>to NY, NY, CE</i> 1 - USA, Asheville, N.C. <i>Cons/BW 10/2/73</i> 1 - Newark (Info) 1 - New York (145-3515) (Info) 2 - Charlotte (145-457)					145-5315-2 3 SEP 17 1973 MCT-32 REC-36 1-117		
Dissemination Record of Attached Report					Notations		
Agency					[Handwritten signatures and stamps] [Box]		
Request Recd.							
Date Fwd.							
How Fwd.							
By							

145-50563

COVER PAGE

CE 145-457

ADMINISTRATIVE:

Investigative period of this report predates period of referenced report due to investigation conducted by auxiliary offices not available for inclusion in the previous report.

LEADS:

CHARLOTTE

AT CHARLOTTE, NORTH CAROLINA

Will follow and report prosecutive action in this investigation.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - United States Attorney, Asheville, North Carolina

Report of: SA LEONARD H. MC COY
Date: SEPTEMBER 12, 1973

Office: CHARLOTTE

Field Office File #: 145-457

Bureau File #: 145-5056

Title: MOTION PICTURE FILM ENTITLED "MEATBALL"; DIRECTOR, GERARD DAMIANO; DISTRIBUTORS: MARVIN FILMS CORPORATION, [REDACTED] PRESIDENT; MEATBALL PRODUCTIONS, INCORPORATED; COUNTRY WIDE THEATRES, INCORPORATED; HERBERT S. NITKE, PRESIDENT; [REDACTED] EMPLOYEE, MEATBALL PRODUCTIONS, INCORPORATED; CHARLES HENRY HODGES, OWNER, ASTOR ART THEATER, FOX DRIVE IN THEATRE

~~XXXX~~

CHARACTER:

~~XXXX~~ INTERSTATE TRANSPORTATION OF OBSCENE MATTER - CONSPIRACYb6
b7C

SYNOPSIS:

[REDACTED] Preview Theaters, Inc., 1600 Broadway, New York City, advised at the request of Marvin Films, "Meatball" picture was screened on 3/5, 20/73. Marvin Films was billed for screening, 3/20/73. Records of Technicolor, Inc., 321 West 44th Street, New York City, reflects Laboratory Order Number 61344, dated 6/25/73, from Meatball Productions showing 6 35 millimeter prints made of film entitled "Meatball". [REDACTED], Gastonia, North Carolina, advised he was projectionist at Astor Art Theater, Charlotte, North Carolina, 3/21-27/73, when "Meatball" film was exhibited at Astor Theater. Credit and identification checks regarding CHARLES HENRY HODGES set forth.

- P -

DETAILS:

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 6/5/73

Miss [] Receptionist and Theater Booker, Preview Theaters, Incorporated (Inc.), 1600 Broadway, New York, New York, made available the following information concerning the screening of the motion picture film entitled, "The Devil In Miss Jones" and "Meatball":

Preview Theaters, Inc. Invoice Number 471, dated February 23, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened at 132 West 43rd Street, New York, New York, on February 15, 1973, from 1:30 PM to 3:00 PM at the request of [] of Marvin Films, 1585 Broadway, New York, New York, Suite Number 300. Marvin Films was billed \$37.50 for this screening.

A projection slip, dated February 15, 1973, shows that Projectionist [] screened the motion picture film entitled, "The Devil In Miss Jones" from 1:30 PM to 3:00 PM on February 15, 1973. This slip bears the signature of one [] in the lower righthand corner.

According to Miss [] the signature [] she believes to be that of [] of Marvin Films, Inc. Furthermore, she said that the fact that [] signed the projection slip would indicate that he, [] was in fact present during the latter screening.

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Miss [] made available Preview Theater, Inc. Invoice Number 472, dated February 23, 1973, which showed that at the request of Marvin Films the motion picture film entitled, "The Devil In Miss Jones" was screened at 132 West 43rd Street, New York, New York, on February 21, 1973, from 1:30 PM to 3:00 PM. Marvin Films was billed \$37.50 for this screening.

A projection slip, dated February 21, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened by [] at 132 West 43rd Street, New York, New York, from 1:30 PM to 3:00 PM, on February 21, 1973. The signature on the slip in the lower righthand corner of this projection slip appears to be [] of Williamson.

Interviewed on 5/24/73 at New York, New York File # NY 145-3510

by SA [] cer Date dictated 5/30/73

NY 145-3510

Miss [] made available Preview Theaters, Inc. Invoice Number 721, dated February 28, 1973, which showed that at the request of Marvin Films the motion picture film entitled, "The Devil In Miss Jones" was screened on February 27, 1973 from 3:00 PM to 4:30 PM. Marvin Films was billed \$37.50 for this screening.

A projection slip, dated February 27, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened by Projectionist [] at 132 West 43rd Street, New York, New York, on February 27, 1973, from 3:00 PM to 4:30 PM. The signature appearing in the lower righthand corner of this projection slip is illegible.

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Miss [] made available Preview Theaters, Inc. Invoice Number 917, dated March 20, 1973, which showed that at the request of Marvin Films the motion picture films entitled, "The Devil In Miss Jones" and "Meatball" were screened on March 5, 1973, from 10:00 AM to 1:00 PM. Marvin Films was billed \$75.00 for these two screenings.

A projection slip, dated March 5, 1973, shows that the motion picture films entitled, "The Devil In Miss Jones" and "Meatball" were screened by Projectionist [] on March 5, 1973, from 10:00 AM to 1:00 PM. The signature appearing in the lower righthand corner of this projection slip is illegible.

Miss [] advised that her booking sheet for March 21, 1973, contains a notation to the effect that the film entitled, "The Devil In Miss Jones" was scheduled to be screened for a Mr. [] and [] of the French Film Office, telephone number 832-8861. There is a further notation which reads as follows:

"Damiano print okay to bill [] and [] of Marvin Films".

Miss [] made available Preview Theaters, Inc. Invoice Number 1022, dated March 27, 1973, relative to the latter mentioned screening on March 21, 1973. This invoice showed that at the request of Marvin Films the motion picture film entitled, "The Devil In Miss Jones" was screened on March 21, 1973, from 1:00 PM to 2:30 PM.

NY 145-3510

The projection slip for March 21, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened at 132 West 43rd Street, New York, New York, from 1:00 PM to 2:30 PM on March 21, 1973, by Projectionist [redacted]

[redacted] Miss [redacted] noted that [redacted] [redacted] signed this projection slip for the French Film Office.

Miss [redacted] made available Preview Theaters, Inc. Invoice Number 1174, dated March 30, 1973, which showed that at the request of Marvin Films the motion picture film entitled, "The Devil In Miss Jones" was screened on March 26, 1973, from 6:00 PM to 7:30 PM. Marvin Films was billed \$60.00 for this screening.

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The projection slip for March 26, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened at 132 West 43rd Street, from 6:00 PM to 7:30 PM on March 26, 1973, by Projectionist [redacted] According to Miss [redacted] the signature appearing in the lower righthand corner of this projection slip appears to be [redacted]

Miss [redacted] advised from records that [redacted] has telephone number [redacted]

Miss [redacted] advised that DAMIANO mentioned previously is identical with GERARD DAMIANO of Damiano Film Productions, Inc., 630 Ninth Avenue, New York, New York, telephone number 581-5240.

X

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 7/13/73

Mr. [REDACTED], Plant Manager, Technicolor, Incorporated, Radiant - New York, 321 West 44th Street, furnished the following autostats pertaining to work completed for Meatball Productions, Incorporated, Post Office Box 289, Harrison, New York:

Invoice Number	Date	Title	Number of Prints
3488	March 15, 1973	"The Devil In Miss Jones" (35 millimeter)	10
3980	March 23, 1973	"The Devil In Miss Jones" (11 Trailer)	-
5590	March 31, 1973	"The Devil In Miss Jones" (35 millimeter)	10
5649	March 31, 1973	"The Devil In Miss Jones" (35 millimeter)	3
6164	April 6, 1973	"The Devil In Miss Jones" (35 millimeter)	2
7619	April 23, 1973	"The Devil In Miss Jones" (35 millimeter)	6
8353	April 27, 1973	"The Devil In Miss Jones" (35 millimeter)	6
8354	April 27, 1973	"The Devil In Miss Jones" (35 millimeter)	6
8355	April 27, 1973	"The Devil In Miss Jones" (35 millimeter)	6
8260	April 27, 1973	"The Devil In Miss Jones" (Trailer)	15
8261	April 27, 1973	"The Devil In Miss Jones" (Trailer)	20
9401	May 9, 1973	"The Devil In Miss Jones" (35 millimeter)	6
9533	May 10, 1973	"The Devil In Miss Jones" (35 millimeter)	6
10060	May 18, 1973	"The Devil In Miss Jones" (35 millimeter)	11
10072	May 18, 1973	"The Devil In Miss Jones" (16 millimeter)	3

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Interviewed on 7/6/73 at New York, New York File # NY 145-3515
 by SA [REDACTED] :cap Date dictated 7/9/73

NY 145-3515

2.

10085	May 18, "The Devil In Miss 1973 Jones" (35 millimeter)	14
10968	May 25, "The Devil In Miss 1973 Jones" (Trailer) (16 millimeter)	15
11743	June 15, "The Devil In Miss 1973 Jones" (35 millimeter)	15
11859	June 18, "The Devil In Miss 1973 Jones" (16 millimeter)	15
13197	June 25, "The Devil In Miss 1973 Jones" (35 millimeter)	6

In addition to the above-listed autostats,
Mr. [] furnished an autostat of Lab Order number
61344 work sheet, dated June 25, 1973, pertaining to
Meatball Productions listing six (6) 35 millimeter
prints made of the film entitled: "Meatball"

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verbal

LAB ORDER NO.

61344

CUSTOMER

SHIP TO

~~MEATBALL~~

PICK UP ☐

CREDIT

C.O.D. ☐

	AMOUNT
1000	1000
2000	2000
3000	3000
4000	4000
5000	5000
6000	6000
7000	7000
8000	8000
9000	9000
10000	10000
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[illegible]

--SPECIAL INSTRUCTIONS:

RETURN TO
CUSTOMER

VAULT

CHECKED BY:

ON REELS & BOXED

DUE DATE _____

BILLING

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 7/12/73

[redacted] was contacted at the residence of HERBERT S. NITKE, 5 Park Drive South. He was immediately advised of the identity of the interviewing agent. He was furnished a copy of "Interrogation; Advice of Rights" form which he read in the presence of Special Agent (SA) [redacted] but declined to sign said form.

[redacted] declined to make any statement relative to the making, production and distribution of the motion picture films entitled "The Devil in Miss Jones" and "Meatball".

[redacted] stated he knew nothing about the corporate structure of Damiano Film Productions, Incorporated (Inc.).

[redacted] declined to answer any questions without consulting an attorney. The interview was terminated at this point.

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The following description of [redacted] was obtained through interview and observation:

NAME

[redacted]
also known as [redacted]

Sex

Male

Race

White

Date of Birth

Place of Birth

New York City

Height

5 feet 7 inches

Weight

220 pounds

Hair

Dark brown

Eyes

Brown

Military Service

New York National Guard

1951-1956

Marital Status

Married

Wife [redacted]

Employment

Yorkview Theatre Corporation
5 Park Drive South
Harrison, New York - as an
accountant and comptroller

Residence

Interviewed on 7/9/73 at Harrison, New York File # NY 145-3514

by SA [redacted] :ms Date dictated 7/9/73

NY 145-3515

2.

Residence Telephone
Number

Fairlawn, New Jersey

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription _____

6/25/73

1.

At 2:25 pm, this date, the writer served a subpoena duces tecum on the person of [redacted] President, Marvin Films, Incorporated, 1585 Broadway, New York, New York. This subpoena directed [redacted] to produce in the Federal District Court, Central District of California, on July 2, 1973, at 10:00 am, all records and correspondence pertaining to any and all shipments, orders or payments for shipments of the film, "The Devil In Miss Jones", into the State of California during the period of January, 1972, through June, 1973.

[redacted] volunteered that he did have some connection with the motion picture film, "The Devil in Miss Jones" when it was first released; however, he declined to say just what his connection was with this film. [redacted] advised that after his arrest by Bureau Agents of the New York Office on February 20, 1973, in connection with a conspiracy to transport in interstate commerce, a motion picture film entitled, "School Girl", he had nothing further to do with the film, "The Devil in Miss Jones".

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Interviewed on 6/20/73 at New York, New York File # NY 145-3510

by SA [redacted] :len Date dictated 6/22/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/10/73

1

[redacted]
[redacted] was advised of the identity of the interviewing agent and the nature of the inquiry and voluntarily furnished the following information:

[redacted] advised he was the projectionist at the Astor Art Theater, 511 East 36th Street, Charlotte, North Carolina, during the period March 21-27, 1973, when the motion picture entitled "Meat Ball" was exhibited at the Astor Theater.

[redacted] stated he could not recall how or who delivered the "Meat Ball" film to the Astor Theater, but to the best of his recollection the "Meat Ball" film was in the projection booth of the theater on March 20, 1973, or the day before it was shown to the public. He stated because of union rules, the theater must deliver the film to the projection booth and not leave it in the theater lobby.

[redacted] stated that several employees of the Astor Art Theater, including CHARLES HODGES, the manager of the theater, could have picked the film up and brought it to the projection booth. [redacted] stated he had no knowledge as to the location in Charlotte where the film was picked up for delivery to the Astor Theater. He further stated he could not specifically recall the pornographic content of the "Meat Ball" film which was shown during the period March 21-27, 1973. He stated that the film moved to the Fox Drive In Theater from the Astor Art Theater on March 28, 1973, but he did not operate the projector at the Fox Drive In.

[redacted] stated he is currently employed as a motion picture projectionist at the Gaston Mall Theater, Gaston Mall Shopping Center, Wilkinson Boulevard, Gastonia, North Carolina.

The following description was obtained from observation and interviews:

Name:
Race:
Sex:

[redacted]
White
Male

Interviewed on 8/2/73 at Gastonia, N.C. File # CE 145-457

by SA LEONARD H. MC COY:egp Date dictated 8/9/73

CE 145-457

2

Date of Birth:
Residence:

[REDACTED]
Gastonia, North Carolina

b6
b7C

Height:	5 feet 10 inches
Weight:	185 pounds
Hair:	Brown
Marital Status:	Single
Occupation:	Motion picture projectionist
Previous Occupation:	School teacher
Education:	Masters Degree
Arrest Record:	None admitted.

CE 145-457

The following investigation was conducted by SC []
[]:

AT CHARLOTTE, NORTH CAROLINA

On September 10, 1973, Records Clerk []
Charlotte-Mecklenburg County Police Department, advised her
files reflected one CHARLES HENRY HODGES described as follows:

Race:	White
Sex:	Male
Date of Birth:	August 17, 1913
Place of Birth:	Salisbury, North Carolina
Height:	5 feet 6 inches
Weight:	145 pounds
Eyes:	Green
Hair:	Gray
Residence:	627 McAlway Charlotte, North Carolina

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He is the owner and operator of the Astor Theater,
Charlotte, North Carolina.

He was arrested September 15, 1969, for Posting
Obscene Bills, being dismissed in District Court on October 2,
1969.

On September 10, 1973, Mr. [] Identification
Bureau, Charlotte-Mecklenburg County Police Department, and
Mr. [] Clerk's Office, General Court of Justice-
District Division, advised their files were negative for CHARLES
HENRY HODGES.

Mrs. [] Charlotte Credit Bureau on
September 10, 1973, advised that her files revealed the name
of one CHARLES H. HODGES, wife [] first appeared in the
Charlotte Credit Bureau files in August, 1964, and was last
checked in October, 1971. His residence was listed as Route 3,
Box 368, Matthews, North Carolina, with a former residence of
627 McAlway Road, Charlotte, North Carolina. His employment
was listed as owner Astor Art Theater and Fox Drive In Theater,
both Charlotte, North Carolina. The Credit Bureau files
reflected HODGES' Social Security Account Number as 240-09-4283.

F B I

Date: 10/2/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (145-~~5056~~)
 FROM: SAC, CHARLOTTE (145-457) (P)

MOTION PICTURE ENTITLED
 "MEATBALL",
 ET AL;
 ITOM - CONSPIRACY

OO: CHARLOTTE

On 10/1/73, a Federal Grand Jury, Western District of North Carolina, at Charlotte, North Carolina, returned a true bill of indictment charging in count one as follows:

That on or about February 23, 1973, at Fort Lee, New Jersey, and at Charlotte, North Carolina, within the Western District of North Carolina, and other places both within and without the jurisdiction of this Court,

MEATBALL PRODUCTIONS, a corporation,
 _____ and
 MARVIN FILMS CORPORATION

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 b7C

did knowingly use a common carrier, to wit, Delta Airlines, for carriage in interstate commerce from Fort Lee, New Jersey, to Charlotte, North Carolina, of an obscene, lewd, lascivious and filthy motion picture film, more particularly described as Print #24 of a film named "Meatball," in violation of Title 18, United States Code, Section 1462.

COUNT TWO

REC-11 145-5315-3

That on or about March 27, 1973, at Fort Lee, New Jersey,

- 2 - Bureau
- 1 - New York (145-3515)
- 1 - Newark (145-1242)
- 2 - Charlotte

LHM: ~~55~~ OCT 12 1973
 (6)

OCT 4 1973

Approved: _____
 Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)
CE 145-457

and at Charlotte, North Carolina, within the Western District of North Carolina, and other places both within and without the jurisdiction of this Court,

MEATBALL PRODUCTIONS, a corporation,
HERBERT S. NITKE, and
[REDACTED]

did knowingly use a common carrier, to wit, Delta Airlines, for carriage in interstate commerce from Fort Lee, New Jersey, to Charlotte, North Carolina, of two obscene, lewd, lascivious and filthy motion picture films, more particularly described as Prints Number 102 and Number 103 of a film named "Meatball", in violation of Title 18, United States Code, Section 1462.

Copies of bill of indictment are being sent to:

[REDACTED] in care of Weiss, Rothford, Kaminsky,
and Scade, 6 East 43rd Street, New York City.

Copy also sent to [REDACTED]
Street, New York City, for review on Marvin Film, Inc.

Copies of bill of indictment being sent by Clerk of Court, WDNC, at Charlotte, NC, and bench warrants issued by the Clerk of Court, WDNC, will be served and executed by USM's Office.

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHARLOTTE	OFFICE OF ORIGIN CHARLOTTE	DATE 12/3/73	INVESTIGATIVE PERIOD 10/1/73 - 11/28/73
TITLE OF CASE MOTION PICTURE FILM ENTITLED "MEATBALL"; DIRECTOR, GERARD DAMIANO, Aka. Jerry Gerard; DISTRIBUTORS: MARVIN FILMS CORPORATION.		REPORT MADE BY SA LEONARD H. McCOY	TYPED BY pbh
		CHARACTER OF CASE ITOM	

1 **[REDACTED] PRESIDENT;
MEATBALL PRODUCTIONS, INC.;
COUNTRY WIDE THEATRES, INC.;
HERBERT S. NITKE, PRESIDENT;
[REDACTED] EMPLOYEE,
MEATBALL PRODUCTIONS, INC.;
CHARLES HENRY HODGES, OWNER,
ASTOR ART THEATER,
FOX DRIVE IN THEATRE**

b6
b7c

REFERENCE: Charlotte report of SA LEONARD H. McCOY, 9/12/73.

- P -

ADMINISTRATIVE:

Information copies being furnished New York and Newark
Offices who have previously conducted investigation in this matter.

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:	
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES	PENDING OVER ONE YEAR		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PENDING PROSECUTION OVER SIX MONTHS

APPROVED <i>R/lu</i> SPECIAL AGENT IN CHARGE COPIES MADE: 1 - Bureau (145-5315) 1 - USA, Asheville, N. C. 1 - Newark (info) (145-1242) 1 - New York (145-3515) (info) 2 - Charlotte (145-457)	DO NOT WRITE IN SPACES BELOW <div style="font-size: 2em; font-weight: bold; text-align: center;">145-5315-4</div> <div style="text-align: center; margin-top: 20px;">9 DEC 5 1973</div> <div style="text-align: right; margin-top: 10px;">EX-117</div>
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Dissemination Record of Attached Report				Notations <i>PROC</i>
Agency	1-RAG/1 Cum Del To John Murphy			
Request Recd.	QHF/lgh			
Date Fwd.	12/10/73			
How Fwd.	0-17 CF #12 C-1			
By	[Signature]			

COVER PAGE

CE 145-457

LEADS

CHARLOTTE DIVISION

AT CHARLOTTE, N. C.

Will follow and report prosecutive action in this investigation.

B*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Asheville, N. C.

Report of: SA LEONARD H. MCCOY
Date: 12/3/73

Office: CHARLOTTE

Field Office File #: 145-457

Bureau File #: 145-5315

Title: MOTION PICTURE FILM ENTITLED "MEATBALL";
DIRECTOR, GERARD DAMIANO;
DISTRIBUTORS: MARVIN FILMS CORPORATION,
[REDACTED] PRESIDENT; MEATBALL
PRODUCTIONS, INCORPORATED; COUNTRY WIDE THEATRES,
INCORPORATED; HERBERT S. NITKE, PRESIDENT;
[REDACTED] EMPLOYEE, MEATBALL
PRODUCTIONS, INCORPORATED; CHARLES HENRY HODGES,
OWNER, ASTOR ART THEATER, FOX DRIVE IN THEATRE

~~Character~~

~~Synopsis~~

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: On 10/1/73 FGJ, WDNC, Charlotte, N. C., returned True Bill of Indictment charging Meatball Productions, Marvin Films Corporation, HERBERT S. NITKE, [REDACTED] and [REDACTED] with one count each of violation Section 1462, Title 18, USC. Bench warrants issued and NITKE arrested by USM, SDNY, 10/15/73, waived preliminary hearing and released on \$5,000 PR bond. [REDACTED] arrested by USM 10/9/73, waived preliminary hearing and released on own recognizance. [REDACTED] arrested by USM, Newark, N. J., 10/5/73 and released on \$1,000 PR bond. All subjects pleaded not guilty on arraignment 11/28/73, USDC, WDNC at Charlotte, N. C., and continued on same bond.

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- P -

DETAILS:

On October 1, 1973, a Federal Grand Jury, Western District of North Carolina, at Charlotte, North Carolina, returned a True Bill of Indictment charging in count one as follows:

COUNT ONE

That on or about February 23, 1973, at Fort Lee, New Jersey and at Charlotte, North Carolina, within the Western District of North Carolina, and other places, both within and without the jurisdiction of this Court,

CE 145-457

MEATBALL PRODUCTIONS, a corporation,
[redacted] and
MARVIN FILMS CORPORATION

did knowingly use a common carrier, to wit, Delta Airlines, for carriage in interstate commerce from Fort Lee, New Jersey, to Charlotte, North Carolina, of an obscene, lewd, lascivious and filthy motion picture film, more particularly described as Print number 24 of a film named "Meatball", in violation of Title 18, United States Code, Section 1462.

COUNT TWO

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That on or about March 27, 1973, at Fort Lee, New Jersey, and at Charlotte, North Carolina, within the Western District of North Carolina, and other places both within and without the jurisdiction of this Court,

MEATBALL PRODUCTIONS, a corporation
HERBERT S. NITKE. and
[redacted]

did knowingly use a common carrier, to wit, Delta Airlines for carriage in interstate commerce from Fort Lee, New Jersey, to Charlotte, North Carolina, of two obscene, lewd, lascivious and filthy motion picture films, more particularly described as Prints Number 102 and Number 103 of a film named "Meatball" in violation of Title 18, United States Code, Section 1462.

Bench warrants were issued for the above subjects on the date of indictment and thereafter turned over to the office of the United States Marshal for execution.

Records of the office of the United States Marshal, Southern District of New York, at New York, New York, reflect that HERBERT S. NITKE was arrested by United States Marshals on October 15, 1973, waived preliminary hearing, and thereafter released on \$5,000 personal recognizance bond. Records further reflect [redacted] was arrested by United States Marshals on October 9, 1973, waived preliminary hearing, and released on his own recognizance.

Records of the Clerk of Court, United States District Court, Western District of North Carolina at Charlotte, North Carolina, reflect [redacted] was arrested by United States Marshals at Newark, New Jersey, on October 5, 1973, and released on \$1,000 personal recognizance bond.

CE 145-457

On November 28, 1973, HERBERT S. NITKE, [REDACTED]
[REDACTED] MARVIN FILMS CORPORATION,
and MEATBALL PRODUCTIONS, a corporation, were arraigned
in United States District Court, Western District of North
Carolina at Charlotte, North Carolina, before United States
District Judge, WILSON J. WARLICK. All parties, by their
attorneys, entered not guilty pleas as charged in the
indictment.

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FBI

Date: 4/9/74

5/3

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (145-5315)
FROM: SAC, CHARLOTTE (145-457)(P)
SUBJECT: MOTION PICTURE FILM
ENTITLED "MEATBALL"
MARVIN FILMS CORPORATION
MEATBALL PRODUCTIONS
ET AL
ITOM - CONSPIRACY
(OO: CHARLOTTE)

Re Charlotte report of SA LEONARD H. MCCOY, dated
12/3/73.

Corporate Defendants Marvin Films Corporation and
Meatball Productions pleaded guilty on 4/9/74, in USDC, WDNC,
Charlotte, N. C.

Each corporation pleaded guilty to violation of one
count of T. 18, S. 1462, USC having been indicted on 10/1/73
in USDC, WDNC.

USDJ WOODROW W. JONES on 4/9/74 sentenced both
corporations to pay a \$5,000 fine and also ordered the three
prints of the film seized by the Charlotte Office destroyed.

Indictments dismissed against Meatball Productions'
corporate officers HERBERT S. NITKE and [redacted]
Indictment also dismissed against [redacted] of
Marvin Films Corporation.

2 - Bureau
2 - Charlotte

LHM:dly
(4)

RC-28

EX-116

145-5315-5

b6
b7C

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1977-245-574

APR 11 1974

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHARLOTTE	OFFICE OF ORIGIN CHARLOTTE	DATE 4/16/74	INVESTIGATIVE PERIOD 4/9/74
TITLE OF CASE MOTION PICTURE FILM ENTITLED "MEATBALL"; DIRECTOR, GERARD DAMIANO, aka Jerry Gerard; DISTRIBUTORS: MARVIN FILMS CORPORATION, [REDACTED] PRESIDENT; MEATBALL PRODUCTIONS, INC.; COUNTRY WIDE THEATRES, INC.; HERBERT S. NITKE, PRESIDENT; [REDACTED] EMPLOYEE, MEATBALL PRODUCTIONS, INC.; CHARLES HENRY HODGES, OWNER, ASTOR ART THEATER, FOX DRIVE IN THEATRE		REPORT MADE BY SA LEONARD H. MC COY	TYPED BY kfb
		CHARACTER OF CASE ITOM	

REFERENCES:

Charlotte report of SA LEONARD H. MC COY, 12/3/73.
Charlotte airtel to the Bureau, 4/9/74.

-C-

ADMINISTRATIVE:

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:	
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES				
2-CE		\$10,000					PENDING OVER ONE YEAR <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
APPROVED <i>R/v</i>					SPECIAL AGENT IN CHARGE			DO NOT WRITE IN SPACES BELOW
COPIES MADE: 1 - Bureau (145-5315) 1 - USA, Asheville, N. C. 1 - Newark (Info) (145-1242) 1 - New York (Info) (145-3515) 1 - Charlotte (145-457)					145-5315-6 REC-10 4 APR 25 1974			
Dissemination Record of Attached Report					Notations			
Agency	1-AAG(crim)				<i>168</i> <i>5/11/74</i> <div style="border: 1px solid black; width: 100px; height: 40px; margin: 10px auto;"></div>			
Request Recd.	J. Murphy							
Date Fwd.	1-T							
How Fwd.	0-17 to CE							
By	12-C-1							

COVER PAGE

CE 145-457

Information copies being furnished to Newark and New York Offices who have conducted previous investigation in this matter.

On 4/9/74, AUSA DAVID B. SENTELLE, WDNC, advised he accepted guilty pleas for corporate defendants in this case in return for dismissal of indictments against corporate officers due to the unsettled state of the law in those cases in which prosecution was initiated after the Supreme Court's Roth decision but prior to the Supreme Court's Miller decision. Inasmuch as this investigation fell into that category, Mr. SENTELLE was of the opinion the matter would best be resolved as set forth in the details of this report.

B*
COVER PAGE

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to: 1 - USA, Asheville, N. C.

Report of: SA LEONARD H. MC COY
Date: 4/16/74

Office: CHARLOTTE

Field Office File #: CE 145-457

Bureau File #: 145-5315

Title: MOTION PICTURE FILM ENTITLED "MEATBALL"; DIRECTOR, GERARD DAMIANO; DISTRIBUTORS: MARVIN FILMS CORPORATION, [REDACTED] PRESIDENT; MEATBALL PRODUCTIONS, INCORPORATED; COUNTRY WIDE THEATRES, INCORPORATED; HERBERT S. NITKE, PRESIDENT; [REDACTED] EMPLOYEE, MEATBALL PRODUCTIONS, INCORPORATED; CHARLES HENRY HODGES, OWNER, ASTOR ART THEATER, FOX DRIVE IN THEATRE

~~XXXXXX~~

~~XXXXXX~~

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

b6
b7C

Synopsis: Corporate defendants Marvin Films Corporation and Meatball Productions entered guilty pleas on 4/9/74, in USDC, WDNC, to one count each of violation of Title 18, Section 1462, USC. Indictments dismissed against subjects HERBERT S. NITKE, [REDACTED] and [REDACTED] with the consent of the USA, WDNC. Meatball Productions and Marvin Films Corp. each sentenced to pay \$5,000 fine by Chief USDJ WOODROW W. JONES, WDNC. Three copies of Meatball film seized by Charlotte Office ordered destroyed by court order, and order executed at Charlotte, N. C. on 4/9/74.

-C-

DETAILS:

On April 9, 1974, corporate defendants Marvin Films Corporation and Meatball Productions appeared in United States District Court, Western District of North Carolina, at Charlotte, North Carolina, and entered guilty pleas to one count each of violation of Title 18, Section 1462, United States Code, having been indicted on October 1, 1973, in United States District Court, Western District of North Carolina.

On motion of the defendants, indictments charging violation of Title 18, Section 1462, United States Code, against Meatball Productions' corporate officers, HERBERT S. NITKE and [REDACTED] and Marvin Films Corporation President [REDACTED] were dismissed with the consent of the United States Attorney, Western District of North Carolina.

CE 145-457

On April 9, 1974, Chief United States District Judge WOODROW W. JONES, Western District of North Carolina, sentenced both corporate defendants to pay a \$5,000 fine before close of business April 9, 1974, and thereafter ordered destroyed the three complete prints of the Meatball film seized by the Charlotte Office on April 10, 1973.

In compliance with the court's order, the three complete prints of the "Meatball" film, consisting of four reels each, were completely destroyed by burning in the presence of Special Agents LEONARD H. MC COY, [REDACTED], [REDACTED], and [REDACTED] on April 9, 1974, at Charlotte, North Carolina.

b6
b7C

(Mount Clipping in Space Below)

Judge Slaps \$5,000 Fines On X-Film Producer, Shipper

By MARTHA RAINEY
News Staff Writer

A federal judge, calling an X-rated movie a "sure sign of the decay of the minds of men", today declared the film obscene and fined its producer and shipper \$5,000 apiece.

"This film would have been

obscene under any Supreme Court decision," said U. S. District Court Judge Woodrow W. Jones who ordered the fines.

The defendants, Meatball Productions and Marvin Film Corp., pleaded guilty here to charges of transporting an

obscene motion picture, titled "Meatball," by interstate commerce.

"IT'S STRETCHING (the Constitution) all out of proportion to say the kind of filth portrayed in this film is protected under the free speech amendment," Jones, a middle aged judge, said.

"It's nothing but some people wanting to make a fast buck appealing to the baser nature of man — all in the name of art."

Jones ordered the FBI to destroy the film, which was available in court today in case he wished to see it before pronouncing sentence. Instead he read a written account of the film from FBI agent Leonard H. McCoy.

The film, an hour long, was shown at the Astor Art Thea-

(Indicate page, name of newspaper, city and state.)

1B THE CHARLOTTE NEWS
Charlotte, N.C.

Date: 4/9/74

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office CE

☐ Being Investigated

ter, 511 E. 36th St., and the Fox Drive-In on Old Statesville Rd. last March.

Jones said, "These men who produce and sell it are not to be condemned any more than those who go to see it," and attacked people who defend such films "by resting on the cliches of freedom of speech."

"Meatball" was ordered seized last April by the U.S. magistrate here as evidence for criminal prosecution against the defendants.

The film shows explicit sexual acts between men and women, according to written testimony by FBI agent McCoy.

THE ATTORNEY for Meatball Productions, Seymour Detsky, defended the producers, saying they did not know what would be considered obscene in Charlotte before they brought the film here.

"This film had a clean bill of health in other jurisdictions," he said. "It played without protest in New York."

A 1973 U.S. Supreme Court decision said that local community standards, rather than national standards, could be applied to prove obscenity.

Detsky asked the judge to "not penalize those who have labored in the vineyards of uncertainty."

"We now realize where we are. The parameters are more rigidly defined than they have been in the past," he said.

David Sentelle, assistant to the U.S. District Attorney, shot back:

"This film is obscene by any standards. It would have been obscene in the community of Sodom and Gomorrah."

Attorneys for both the producers and distributors said their clients are no longer involved with movies like "Meatball."

"We've been out of the so called hard-core area for some time," said the attorney for Marvin Films, Stanley A. Gertzman.

The judge dismissed charges against employees of the two businesses involved in the case.

4*



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

11/24
I - Mr.

To: SAC, Buffalo (145-444)

Date: November 2, 1973

From: Director, FBI

Re: **FOX THEATRE
1618 DENISON PARKWAY EAST
CORNING, NEW YORK
ITOM
OO: Buffalo**

FBI REC-127
EX-112 145-5324 -1
Lab. No.

D-731015158 JC

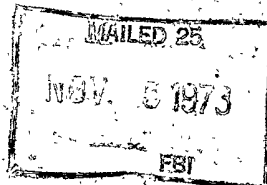
Examination requested by: **Buffalo**

Reference: **Letter 10/9/73**

Examination requested: **Document**

Remarks:

b6
b7C



Enclosures (2) (2 Lab report)

WLC:mr (4)

37 NOV 13 1973

ADMINISTRATIVE PAGE

MAIL ROOM ☒

TELETYPE UNIT ☐

**REPORT
of the****FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: SAC, Buffalo (145-444)
Re: **FOX THEATRE
1618 DENISON PARKWAY EAST
CORNING, NEW YORK
ITOM**

Date:
FBI File No.
Lab. No.

November 2, 1973
145-5324C
D-731015158 JC

Specimens received 10/12/73

Q1 One metal film canister

Q2 Miscellaneous strips of loose film from film entitled "The Devil In Miss Jones"

Result of examination:

The bottom label on the film canister, Q1, reads as follows

**"To RIVERA THEATRE
1451 LAKE AVE
ROCHESTER, N. Y.**

**From OLYMPIA THEATRE
STATE ST
WATN N. Y. "**

Matching edges and ends of the Q2 film strips have been taped together. It could not be put in a definite chronological order since the film "The Devil In Miss Jones" has not been received in the Laboratory.

Q1 and Q2 will be returned under separate cover.

10/31
Recorded
10/16/73 mr

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE NO LAB FILE

Laboratory Work Sheet

Re: FOX THEATRE
1618 DENISON PARKWAY EAST
CORNING, NEW YORK
ITOM
OO: BUFFALO

File # 145-5324-1
Lab.# D-731015158 JC

Examination requested by: Buffalo (145-444) L 10/9/73

Examination requested: Document

Date received: 10/12/73

Result of Examination:

Examination by:

b6
b7C

(See below)

10/31/75

Q1 One metal film canister

NI Q2 Miscellaneous strips of loose film from film entitled "The Devil In Miss Jones"

Film was scotch tape at intervals by matching edges. Not having received the film "The Devil in Miss Jones". I can't be sure if in chronological order.

TOP LABEL, STAMPED RETURN ADDRESS

RIVERA THEATRE
P.O. BOX 7456
1451 LAKE AVENUE
- ROCHESTER, N.Y. 14615

TYPED ADDRESS

FOX THEATRE
16 DENISON PRWY
CORNING, NEW YORK "

BOTTOM LABEL: Handwritten in ink

" TO RIVERA THEATRE FROM OLYMPIA THEATRE
1451 LAKE AVE STATE ST
ROCHESTER, N.Y. WATN N.Y. "

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
(ATTN: FBI LABORATORY)

FROM : *RHA*
85 SAC, BUFFALO (145-444) (P)

SUBJECT: *9/1*
2/16
Q14Q2
FOX THEATRE
1618 DENISON PARKWAY EAST
CORNING, NEW YORK
ITOM
(OO: BUFFALO)

DATE: 10/9/73

Enclosed for the FBI Laboratory are the following.

- (1) One Metal Film Canister
- (2) Miscellaneous strips of loose film from film entitled "The Devil In Miss Jones"

For the information of the Laboratory, the above two items were seized at the Fox Theatre, Corning, New York, on a search warrant on 10/4/73.

The Laboratory is requested to remove the stickers from the metal film canister and furnish Buffalo the information furnished on the bottom sticker. The Laboratory should insure that the stickers are not destroyed inasmuch as the stickers might reflect the Interstate Transportation of this particular film.

The Laboratory is requested to return the stickers and the metal film canister to the Buffalo Office.

The Laboratory is also requested to attempt to place the miscellaneous strips of loose film in a chronological order it being noted that these films depict obscene scenes from the film entitled "The Devil In Miss Jones."

The Laboratory is requested to return the miscellaneous film strips to the Buffalo Division, inasmuch as it is considered evidence and will be shown to FGI, WDN, Buffalo.

OBSCENE

- 4 - Bureau (RM) - 100-500
(1 - With Package) (Encs. 2)
2 - Buffalo
LSS:mms
(6)
- ENCLOSURE
- ENCLOSURE ATTACHED



5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

EXP. PROC.
OCT 12 1973

731015158

40
104

Bm

MCI-36

REC-15/45-5324-

OCT 12 11 01 AM 1973

RECEIVED 16
14 OCT 12 1973

SEVEN

LSK

Index Lab Files

Recorded
10/16/73 mr

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

Re: **FOX THEATRE**
1618 DENISON PARKWAY EAST
CORNING, NEW YORK
ITOM
OO: BUFFALO

File # **145-5324-1**
Lab.# **D-731015158 JC**

Examination requested by: **Buffalo (145-444) L 10/9/73**

Examination requested: **Document**

Date received: **10/12/73**

Result of Examination:

Examination by:

b6
b7C

Q1 One metal film canister

Q2 Miscellaneous strips of loose film from film entitled "The Devil In Miss Jones"

r (Rev. 1-19-67)

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: November 2, 1973

TO: SAC, Buffalo (145-444)

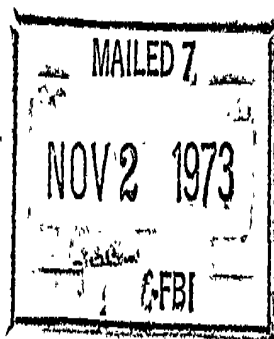
Ash

Re: Fox Theatre
1618 Denison Parkway East
Conning. New York
ITOM
Urlet 10/9/73 LSSmms

Invoice of Contents

Q1 and Q2

718765



wrapped 11/2/73

- ☐ Crypt.-Trans.
- ☒ Document
- ☐ P & C
- ☐ Radio Engineering
- ☐ LFPS

Special Instructions:
Mail Room: Show shipment date and registry number.
Shipping Room: Show shipment date; bill of lading number;
initial invoice; return to Section checked in block; after
initialing in block, invoice to be placed in administrative file.

FBI File No. 145-5324

WJL

56 NOV 2 1973

11/2/73 D-731015158 JC

[Heavily scribbled and illegible handwriting]

MYERCA THEATRE
P.O. BOX 7456
1451 LAKE AVENUE
CHESTER, N. Y. 14315

FOX THEATRE
16 Denison Pkwy.
CORNING, NEW YORK

LABORATORY
FBI
01 JC 145-5324

[Handwritten notes and signatures, including "Lab. N.Y." and "State N.Y."]

FILE#

DATE _____

EXAMINER

145-5324

JL

#

Q#

Q1

K#

NEGATIVES

INITIALS _____

D E N C E
BUREAU OF INVESTIGATION
WASHINGTON, D.C.

145-5324-1

For Index

E V
FEDERAL

BUREAU OF INVESTIGATION
WASHINGTON, D.C.

E V
FEDERAL

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 11/13/73	INVESTIGATIVE PERIOD 9/27/73-11/9/73
TITLE OF CASE CHANGED [Redacted] Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York		REPORT MADE BY [Redacted]	TYPED BY :faf
		CHARACTER OF CASE ITOM	

Title is marked "Changed" to add the name [Redacted] Manager. Title previously carried as "Fox Theatre, 1618 Denison Parkway East, Corning, New York, ITOM, OO: BUFFALO."

REFERENCES: Newark airtel to Buffalo, captioned "HERBERT SEYMOUR NITKE; ET AL, dba Yorkview Theatre Corporation, Rye, New York and Granada Theatre, 3176 Main Street, Buffalo, New York, ITOM," dated 8/27/73.
Buffalo teletype to Newark, dated 10/3/73.
Newark teletype to Buffalo, dated 10/3/73.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES				
APPROVED <i>[Signature]</i>					SPECIAL AGENT IN CHARGE			DO NOT WRITE IN SPACES BELOW
COPIES MADE: 2 - Bureau (RM) 3 - Albany (RM) 3 - Newark (Enc. 1) (RM) 2 - New York (RM) 4 - Buffalo (145-444) (1 - USA, Buffalo)					145-5324-221			MCT-22
					7 NOV 16 1973			REC-20
								EX-111
Dissemination Record of Attached Report					Notations			
Agency	1-ARAC/Chm Dist John Murphy				DATA PROC			
Request Recd.	OFF/leg							
Date Fwd.	11/21/73							
How Fwd.								
By	ST NOV 28 1973							

BU 145-444

REFERENCES, cont'd.

Buffalo letter to Bureau, dated
10/9/73.
Buffalo letter to New York, dated
11/5/73.

-P-

ENCLOSURE

TO NEWARK

Enclosed for Newark is subpoena issued by USA's Office, WDNY, Buffalo, N.Y., on 11/9/73, for pertinent shipping documents located Bonded Film Storage Co., Fort Lee, N.J.

LEADS

ALBANY

AT ALBANY, NEW YORK

(1) Contact appropriate officials at the State Attorney General's Office, Articles of Incorporation Division, Albany, and ascertain the following regarding Yorkview Theatre Corporation and Countrywide Theatre Corporation:

- (a) Official of corporation to whom all processes should be directed and address.
- (b) Address of home office.
- (c) All officials belonging to corporation.
- (d) Nature of business.

(2) Contact appropriate officials, Clark Film Services, Inc. to ascertain if the film entitled "The Devil In Miss Jones" has ever been stored or shipped through this particular film storage house in Albany, N.Y.

AT BINGHAMTON, NEW YORK

Will at the offices of the Countrywide Theatre, Inc., 99 Hawley Street, obtain shipping documents relating to the film, "The Devil In Miss Jones" reflecting the shipment of that film to the Fox Theatre, Corning, N.Y.

BU 145-444

LEADS, cont'd.

NEWARK

AT NEWARK, NEW JERSEY

Will review information furnished in referenced Newark airtel to Buffalo, dated 8/27/73, and submit to Buffalo, for background information any investigative report or FD-302 reflecting Newark investigation as shown in this particular communication.

AT FORT LEE, NEW JERSEY

Will execute enclosed subpoena and obtain records reflecting the shipment of the film entitled "The Devil In Miss Jones" from Fort Lee, N.J., to the State of New York.

NEW YORK

AT NEW YORK, NEW YORK

Will review information furnished in referenced Newark airtel to Buffalo, dated 8/27/73, and submit to Buffalo, for background information any investigative report or FD-302 reflecting New York investigation as shown in this particular communication.

BUFFALO

AT BUFFALO, NEW YORK

Will maintain contact with AUSA EDWARD J. WAGNER, WDNY, Buffalo, N.Y., regarding prosecutive intent of this particular matter.

GENEVA

AT WATERLOO, NEW YORK

Will contact appropriate official of the Fingerlakes Truck Rental, 2 East Avenue, to obtain shipping documents

BU 145-444

LEADS, cont'd.

GENEVA, cont'd.

AT WATERLOO, NEW YORK, cont'd.

relating to the film entitled "The Devil In Miss Jones,"
reflecting the handling of this particular film by this
company.

-D*-

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo
(Attn: AUSA EDWARD J. WAGNER)

Report of:

[REDACTED]

Office: Buffalo, New York

Date:

11/13/73

Field Office File #:

145-444

Bureau File #:

Title:

[REDACTED]

Manager,
Fox Theatre,
1618 Denison Parkway East,
Corning, New York

Character:

INTERSTATE TRANSPORTATION
OF OBSCENE MATTER

Synopsis:

Investigation initiated to determine if the film "~~The Devil In Miss Jones~~" shown at the Fox Theatre, Corning, N.Y., on 10/3/73, and 10/4/73, considered obscene and that it had been transported in interstate commerce. Prior investigation indicated this film originated Fort Lee, N.J. Show Cause Order issued to [REDACTED] Manager, Fox Theatre, Corning, N.Y., 10/4/73, and a search of theatre conducted same evening. Evidentiary items seized during this search set out. [REDACTED] advised he received this particular film from the Riviera Theatre, Rochester, N.Y., but search of Riviera Theatre negative regarding shipping documents of film. Persons familiar with Fox Theatre indicate film shipped to Fox Theatre arrived either Greyhound Bus or by Fingerlakes Truck Lines, who shipped from Clark's Film Service, with offices located in Cheektowaga, N.Y., and Albany, N.Y., who obtained films from Fort Lee, N.J., or New York City, usually via Greyhound Bus. Films shipped via Greyhound Bus Lines originating New York City, N.Y., always travel through State of New Jersey. Adversary Hearing held 10/18/73, before USM EDMUND F. MAXWELL, WDNV, Buffalo, N.Y., who ruled that subject's attorney had until 10/30/73, to file brief in this matter and USA, Buffalo, had until 11/6/73, to answer brief, after which time USM would rule as to obscenity of film entitled "The Devil In Miss Jones." On 11/9/73, AUSA, WDNV, Buffalo,

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b7C

BU 145-444

Synopsis, cont'd.

N.Y., advised subject's attorney failed to file brief and USM had ruled movie "The Devil In Miss Jones" to be considered obscene and issued Search Warrant for film.

-P-

Details:

This investigation was instituted to determine if the film "The Devil In Miss Jones" shown at the Fox Theatre on October 3, 1973, and October 4, 1973, was considered obscene and that the film had been transported in interstate commerce.

By communication, the Newark Division furnished investigation conducted by the New York Office and the Newark Office regarding the interstate aspects of this investigation, which were developed through prior investigations of related Interstate Transportation of Obscene Matter cases, which is as follows:

That [redacted] Operations Manager, Bonded Film Service, Fort Lee, New Jersey, advised that his records reflect the only print in his possession of the film "The Devil In Miss Jones" was sent to Meatball Productions, 550 Main Street, Fort Lee, New Jersey, March 19, 1973.

That [redacted] Operations Manager, Meatball Productions, 550 Main Street, Fort Lee, New Jersey, advised May 7, 1973, that the seven prints of "The Devil In Miss Jones" were picked up personally by an individual who signed a receipt for the prints as [redacted] a representative of Meatball Productions, Inc., home office, P.O. Box 289, Harrison, New York.

b6
b7C

That on March 1, 1973, HERBERT NITKE, 5 Park Road, South Harrison, New York, advised he produced the film "The Devil In Miss Jones" and that same was being released by Marvin Films, located 1585 Broadway, New York City.

BU 145-444

That HERBERT NITKE, 5 Park Road, South Harrison, New York, advised he owned the film "The Devil In Miss Jones" and stated the prints of the film were stored at Bonded Film Storage Company, Inc., Fort Lee, New Jersey, in his, NITKE's, Meatball Production, Inc. account.

b6
b7C

That [] a representative of Meatball Productions, Inc., home office, was contacted at the home of HERBERT S. NITKE and advised he has been a booking Agent for Countrywide Theatres, Inc., for approximately two and one-half years.

The following is prior investigation conducted at Elmira, New York, Painted Post, New York, and Bath, New York:

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/26/73

A review of the "Corning Leader," a daily newspaper at Corning, New York, showed that the following films were scheduled to be shown at the Fox Theater, Corning, New York, on the dates indicated:

February 8, 1973 through February 15, 1973, "Breakdown" and "Confidential Apartment," neither film being rated.

February 16, 1973, through February 24, 1973, "Snowball Express" and "The Magic of Walt Disney World."

February 26, 1973, through February 27, 1973, Woody Allen's "Everything About Sex," rated R.

February 28, 1973, through March 6, 1973, "The French Connection," rated R, and "With Six You Get Eggroll," on March 3 and March 4, 1973 matinees.

March 7, 1973, through March 11, 1973, "The Hospital" and "Tuzs," both rated CP.

March 12, 1973, through March 15, 1973, "Adultery For Fun and Profit" and "Come One Come All," rated X.

March 16 through 18, 1973, "Sometime a Great Notion," with "Snoopy Come Home" shown on the March 17 and March 18, 1973 matinees.

March 19, 1973, "Meatball" tonight through Thursday. The statement "Throat" went a long way, "Meatball" goes further, appeared in the advertisement.

Interviewed on 3/20/73 at Corning, New York File # 244-145-444

by SA [redacted] LJE b6 b7C Date dictated 3/22/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/3/73

[redacted] Painted Post, New York, telephone [redacted] advised that he currently works as projectionist at the Fox Theater, Corning, New York each Tuesday and Wednesday nights and he has been the chief projectionist at that theater for the past one and one-half years.

[redacted] advised that some of the X-rated film being shown at the Fox Theater is brought to the theater by [redacted] who manages the Strand or State Theaters at Ithaca, New York and who is a local or district manager for Countrywide Theaters, New York City. [redacted] source of the film is unknown to [redacted] and [redacted] believes other X-rated film is shipped to the Fox Theater by Grayhound Bus Lines and that it is probably picked up at the bus station by the ticket agent at Fox, [redacted] or by the doorman, [redacted].

[redacted] advised he has heard that [redacted] [redacted] and [redacted] Assistant District Supervisor for Countrywide Theaters, visit the Fox Theater about once a week and that they usually deliver film on such occasions.

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According to [redacted] X-rated film had been shown at the Fox Theater almost exclusively for the past 14 months up until about two months ago. Since that time the X-rated film is only shown Monday through Thursday and film rated other than X is shown on the other days of the week. [redacted] advised that in his personal opinion, most of the X-rated film that has been shown at the Fox Theater is that he terms hard core pornography.

[redacted] advised that the only shipping labels he has seen on the X-rated film he has shown merely shows the point of destination of the film and not the point of origin.

Interviewed on 4/23/73 at Painted Post, New York File # 145-414

by SA [redacted] TPA Date dictated 4/23/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/25/73

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[redacted] former Operator of the Intacock Theater, Bath, New York, advised he first became employed as Manager of the Fox Theater, Corning, New York, about December 10, 1972, having been hired by [redacted] District Manager for Countrywide Theaters, New York City. According to [redacted] resides at Ithaca, New York, where he manages the Strand Theater.

[redacted] advised that from the time he started at the Fox Theater, that theater showed nothing but X rated films up until the time he quit, February 27, 1973. The only exception was that about three non-X rated films were shown during that period.

[redacted] advised that the X rated film was standard 35 millimeter theatrical film and 16 millimeter, so called underground film.

[redacted] advised that during the period he was associated with the Fox Theater, the 35 millimeter film came to the Fox Theater via the Fingerlaker Truck Lines, Waterloo, New York. If the film came to the Fox from another theater, then the forwarding theater would be listed on the shipping label. If there was no forwarding theater, then the film came from one of the film distributors at Buffalo, New York, there being about 12 such distributors to [redacted] knowledge. The distributor in turn would have received the film from his home office, and all, to [redacted] knowledge, are located in California.

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During the period [redacted] worked at the Fox Theater, about 16 X rated 16 millimeter films were shown and each film opened on Wednesday and closed the following Tuesday. Each of these films came to the Fox Theater via Greyhound Bus from different theaters in New York State and they originated at the Countrywide Theaters, New York City.

Interviewed on 3/15/73 at Bath, New York File # Buffalo 145-444

by SA [redacted] LAC Date dictated 3/22/73

[] advised that on February 15, 1973, he and the Fox Theater received a summons to appear on February 15, 1973, at the Corning, New York Court House to show cause why an order should not be made directing the Steuben County District Attorney to seize the film "Breakdown" and "Confidential Apartment," then being shown at the Fox Theater.

[] advised that the result of this show cause order was that the order was dismissed and the attorney for Fox Theater, [] Buffalo, New York, agreed that no more 16 millimeter films would be shown and thereafter, X rated movies would only be shown during the week and family type movies would be shown on Fridays, Saturdays, and Sundays.

[] advised that Countrywide would inform the Fox Theater about three days in advance as to what the next film would be that would be shown at Fox Theater. He advised that this film that was trucked in would be delivered to the Fox Theater on Wednesdays and Sundays about 7:00 A.M. and the truck drivers had keys to the Fox Theater lobby and would leave the film in the lobby.

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[] advised that the only X rated 35 millimeter films that he can recall that did show sexual action were "Mona" and "Teenage Fantasy." He advised there were about three other films to his knowledge but he cannot recall the titles.

[] advised that to his knowledge, the Fox Theater currently has no Manager but that the Cashier, [] (Last Name Unknown) is a reluctant Acting Manager. Other employees at the Fox are an unknown Doorman, an unknown Candy Girl, and Two Projectionists, one being [] who also works at the Ingersoll Band, Painted Post, New York, and the other being [] the son of [] (Last Name Unknown), supra.

FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 10/5/73

Lieutenant [redacted] Corning, New York, Police Department, advised that the Fox Theatre, 1618 Denison Parkway East, Corning, New York, continued to show X-rated films Monday through Thursday of each week. He stated that the film "The Devil In Miss Jones" began showing at the Fox Theatre on September 4, 1973, and that he had personally viewed this particular film. Lieutenant [redacted] stated that after viewing this particular film he prepared a report of his observations.

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Lieutenant [redacted] furnished interviewing Agent with a copy of this particular report, which consists of four xerox pages.

Interviewed on 9/27/73 at Corning, New York File # Buffalo 145-444
by SA [redacted] :faf Date dictated 10/2/73

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 10/11/73

A review of the marquee of the Fox Theatre, 1618 Denison Parkway East, Corning, New York, revealed that the movie entitled "The Devil And Miss Jones" would be playing at this particular theatre.

Interviewed on 10/3/73 at Corning, New York File # Buffalo 145-444
by SA fef Date dictated 10/9/73
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FEDERAL BUREAU OF INVESTIGATION

-1-Date of transcription 10/11/73

A review of the "Corning Leader," a daily newspaper published at Corning, New York, indicated that the movie entitled "The Devil in Miss Jones" would be playing at the Fox Theatre on the evenings of Wednesday and Thursday at 7:00 PM, 8:15 PM and 9:30 PM.

Interviewed on 10/3/73 at Corning, New York File # Buffalo 145-444
by SA [redacted] fef Date dictated 10/9/73

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FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 10/11/73

On October 3, 1973, SA [] gained admittance to the Fox Theatre, 1618 Denison Parkway East, Corning, New York, upon paying a \$3.00 admission fee. Playing at this particular theatre was a movie entitled "The Devil In Miss Jones."

The motion picture is a sound/color film and the opening scene shows a woman in a room with a man, and the woman is begging the man to touch her. Both of these individuals are clothed, but the woman is shown with her dress raised and is wearing no underclothing thereby exposing her vaginal area. As the woman is begging the man to touch her, she rubs her vaginal area, and thereafter inserts one of her fingers into her vaginal opening and continues her dialogue. The man in the room does not respond to her begging and tells her to close her eyes as there is something in the room.

The credits and introduction to the film are then displayed on the screen and the title is shown to be "The Devil In Miss Jones." Among the actors are GEORGENA SPELVIN, HARRY REAMS and JOHN CLEMONS.

A scene of a busy street is then shown and the same woman previously shown in the room with the man is seen looking out a window toward the street. She then closes the venetian blinds to this window and walks to a mirror where she puts cosmetic cream on her face and then wipes it off. She then pulls the robe that she is wearing away from her body and looking into the mirror, appears to gaze at her own breasts. She then walks down a hallway naked to the bathroom. Entering the bathroom, she fills the bathtub in the room with water and pours lotion into the tub. Opening the medicine cabinet in the room, she takes a razor out of the cabinet and steps into the tub. Laying down in the tub and thereafter shutting off the water flowing into the tub, she removes the razor blade from the razor. She is then shown cutting her wrists with the razor blade with blood emanating from the cuts and running into the tub. She then appears to pass out.

Interviewed on 10/3/73 at Corning, New York File # Buffalo 165-444
by SA [] :faf b6 b7C Date dictated 10/9/73

The scene then shifts to the same woman walking through a room in which a man is seated at a table with a complete panel of windows behind him showing a yard or outside area, and they begin to talk. The man identifies himself as ABACCA and tells her she is probably wondering why she is there. She responds she believes it is for some type of job interview. The woman states she is confused, and the man calling her Miss JONES attempts to explain what he means about the job position and talks about his firm. She then gets up and begins to leave. He tells her to wait and then explains to her that she was supposed to go to the "higher office." Talking about her "accident" he tells her she has taken her own life and is now dead. The man says they were to determine whether to send her to heaven or hell, but she took her own life and there is no choice in the matter. Miss JONES said she does not mind going to hell but believed that her life did not warrant it. She stated she would like to "go back" to commit lust. ABACCA tells her this is out of character in that she is a virgin. She then says if she had her life to live over, she would live her life engulfed, consumed with lust. He tells her this is out of the question, but since she is not expected for a while, he will allow her to return for a short time. He then tells her to walk through a door.

Miss JONES then walks to a large double door, which appears to be a designed door with metal facing on it, and the door opens. A man wearing a robe is observed seated in a chair in a room that is furnished and she enters the room and asks this man if he can help her as she thinks she has lost her way. The man identifies himself as Teacher. He then tells her he must remove her inhibitions and tells her to come closer to him. He then tells her to bend over, and as she responds, he puts his hand over her face and touches her. She then stands up, and he motions with his hands. She then removes the gown she is wearing. She is wearing a white corset which does not cover her breasts nor her vaginal area, and she is wearing nylons. Her breasts and vaginal area are exposed. He then tells her to bend over and spread her cheeks. She has her buttocks

facing him when she does this. The man then places what appears to be a plastic or rubber finger shaped object over one of his fingers. He then, using this same finger, inserts it into the woman's anus. He tells Miss JONES he will punish her if it falls out.

The man is next observed laying on his back on a bed. He opens the robe he has been wearing and is completely nude. The woman comes to the bed, sits down beside him and as the man's penis is displayed, he asks Miss JONES what she calls it. She then calls it by various names. She then asks the man if she may feel the penis and kiss it, which she thereafter is observed to do. He then tells her to place his penis in her mouth and stroke it with her hand. She is then observed to perform fellatio on the man. As she is doing this, she intermittently talks about the man's penis and her love for it. She then asks the man if she can have the penis placed into her vagina. She is then observed to straddle the man and they engage in intercourse. She then asks the man to remove the plastic finger from her anus; and after he had done this, she tells him to put his finger where the plastic finger had been. The man is observed placing his finger into the anus of Miss JONES while they are still engaged in intercourse. She is then observed placing a plastic finger similar to the one which previously had been placed in her anus, in her mouth and sucking it. The next scene shows the man removing his finger from her anus. He is then observed inserting his penis into her anus while she is heard to say, "Hurt me, hurt me."

The next scene shows another woman walking down a stairway, disrobing to nudity, and thereafter approaching Miss JONES, who is laying nude on a couch covered with plastic. This other woman takes what appears to be lotion or oil and rubs this all over the body of Miss JONES. This other woman lays down beside Miss JONES and the two women engage in kissing. The other woman is then observed rubbing the vagina of Miss JONES and thereafter placing one of her fingers into Miss JONES' vagina. Thereafter, this same other woman is observed performing simulated cunnilingus on Miss JONES.

Miss JONES is next observed in a bathtub filled with water, with a rubber-type hose or tube with water running out of the end of it, which she is letting run across her body. She places this tube with running water into her vaginal cavity and pushes it in and out. She then takes this same tube and runs it into her mouth. Thereafter, she turns around on her hands and knees in the tub and appears to place the tube into her anus.

The next scene shows the man previously identified as Teacher, seated with Miss JONES kneeling between his knees with Miss JONES performing fellatio on him. Teacher then ejaculates in Miss JONES' mouth. She thereafter continues to perform fellatio on him.

Miss JONES is next depicted laying naked on a bed with a bowl of fruit on the stand beside the bed. She takes a cluster of grapes and places these on her stomach. She then takes an apple which she places up to her mouth and, thereafter, she places one of her fingers into her vagina. She then takes the apple and rubs it in her vaginal area and places the apple to her mouth where she licks it. Miss JONES is then observed to take one of the grapes and insert it into her vaginal opening. She then removes this grape from her vagina and eats the grape. She is next seen to take and place into her mouth, an unpeeled banana which she moves in and out of her mouth. The camera then swings around to a mirror which is adjacent to the bed and reflects the vaginal area of Miss JONES. She then takes the banana and places this into her vagina moving it in and out. Removing the banana from her vagina, she then peels it and begins to eat it, occasionally taking the peeled banana and rubbing it in her vaginal area between bites as she eats the banana.

The next scene begins with a close up of a live snake with its tongue flickering out of its mouth. Miss JONES is then seen imitating the snake as she flicks her tongue out of her mouth. The snake is crawling on her stomach and she picks the snake up while still imitating it. Thereafter, she places the head of the live snake into her mouth, closes her lips around it and then removes the snake from her mouth.

The next scene shows Miss JONES and the individual previously identified as ABACCA, walking in a field with the two of them conversing. Miss JONES asks permission to be allowed to stay but this is denied.

The next scene shows Miss JONES and another female, previously not shown, alternately engaged in performing fellatio on a male. Miss JONES then engages in intercourse with this male, while the other female rubs the genital area of the male, while they are engaged in intercourse. Miss JONES and the male cease intercourse, at which time the other female immediately performs fellatio on the male which results in his ejaculation into her mouth. Miss JONES and the other female alternately perform fellatio on the male and kiss each other, passing the ejaculation semen from one to the other.

The next scene shows Miss JONES with two men; one man lying on his back with Miss JONES laying on top of him engaging in intercourse; and the other man is observed in what appears to be engaging in anal intercourse with her at the same time. She then tells the men she wants them both to ejaculate outside of her, and the man with whom she is engaged with in intercourse, removes his penis from her and thereafter ejaculates. Thereafter, the man behind her is observed to remove his penis from her anus and ejaculate.

The next scene shows the man previously identified as ABACCA and Miss JONES in the same room where ABACCA had been seated at a table with the windows behind him, and she asks ABACCA for permission to stay. He tells her no and that it is time to go. She says she is frightened. He then tells her there is no reason to be afraid of the firey furnace because it is only a myth. He then demands that she touch his hand. She extends her hands forward and touches the hand of ABACCA.

The next scene shows Miss JONES walking through the same room that was depicted at the very start of the motion picture and the same man as depicted earlier in this room is observed leaning against the wall. The man

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is talking about the place and that there are no rats in it. He stated he once found a speck of dust and goes on to describe the speck of dust. He talks about a fly being in the room and that he must listen for it. Miss JONES is seated on a table clothed, and raising her dress, displays her vaginal area to the man. She then offers herself to the man and tells him she would like him to perform cunnilingus on her. She then rubs her vaginal area and inserts one of her fingers into her vagina, rapidly moving it in and out. He continues to talk about the fly. She continues attempting to talk him into coming to her, begging him to touch her, while she continues to move her finger in and out of her vagina, moaning.

The film then ends with the credits again displayed indicating other performers to be MARK STEVENS, ALBERT GORE, Sound - BILL RICH, Music - ALDEN SHINER, Writer and Directed by - GERARD DAHIANA.

This particular movie started at approximately 7:00 PM and ended at approximately 8:05 PM and the entire movie was approximately 65 minutes in length.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/10/73

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[redacted] Assistant Terminal Manager, Greyhound Bus Lines, East, 672 Main Street, Buffalo, New York, was advised of the identity of the interviewing Agent, at which time he provided the following:

[redacted] stated that any film delivered in the Western New York area via Greyhound Bus with the original demarcation point of New York City, New York, the bus carrying the film is always routed through the State of New Jersey.

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Interviewed on 10/4/73 at Buffalo, New York File # Buffalo 105-444

by SA [redacted] Date dictated 10/9/73

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FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 10/16/73

[redacted] Clark Film Services, Inc., Gruner Road, Cheektowaga, New York, advised that on a regular basis he delivers film to the Fox Theatre, Corning, New York. He stated these films are sent from either Fort Lee, New Jersey, or New York City from Countrywide Theatres usually via Greyhound Bus Lines. [redacted] stated that after the movies are shown at this particular theatre, the movies are either sent to another theatre to be shown or sent to Clark Film Services, Inc., in Cheektowaga, New York, or Albany, New York, for storage.

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Interviewed on 10/4/73 at Cheektowaga, New York File # Buffalo 145-444
by SA [redacted] faf Date dictated 10/10/73

BU 145-444

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On October 4, 1973, United States Attorney (USA) JOHN T. ELFVIN, Western District of New York (WDNY), Buffalo, New York, authorized the issuance of a search warrant for the premises known as the Fox Theatre, 1618 Denison Parkway East, Corning, New York, for the purpose of seizing shipping documents pertaining to the movie entitled, "The Devil In Miss Jones." Mr. ELFVIN further advised that he would seek a show cause order directing that cause be shown why "The Devil In Miss Jones" should not be seized.

On October 4, 1973, USA JOHN T. ELFVIN, supra, authorized the issuance of a subpoena for the film entitled, "The Devil In Miss Jones," which subpoena was directed to [redacted] and Fox Theatre, Corning, New York.

On October 4, 1973, an order to show cause for the film entitled "The Devil In Miss Jones" should not be seized was issued by United States District Court Judge JOHN T. CURTIN, WDNY, Buffalo, New York, directed to [redacted] and the Fox Theatre, returnable October 5, 1973, at 11:00 AM.

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On October 4, 1973, a search warrant for the premises known as the Fox Theatre, 1618 Denison Parkway East, Corning, New York, was issued by United States Magistrate EDMUND F. MAXWELL, WDNY, Buffalo, directing the seizure of any and all bill of lading or other shipping documents relating to the transport of a film entitled "The Devil In Miss Jones."

On October 5, 1973, United States Attorney JOHN T. ELFVIN, supra, authorized the issuance of a search warrant for the premises known as the Riviera Theatre, 1451 Lake Avenue, Rochester, New York, for the purpose of seizing shipping documents pertaining to a movie entitled "The Devil In Miss Jones."

On October 5, 1973, a search warrant for the premises known as the Riviera Theatre, 1451 Lake Avenue, Rochester, New York, was issued by United States Magistrate EDMUND F. MAXWELL, WDNY, Buffalo, New York, directing the seizure of any and all bills of lading or other shipping documents relating to the transport of a film entitled "The Devil In Miss Jones."

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/10/73

At 9:41 PM on October 4, 1973, Special Agent [redacted] served [redacted] Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York, with an order to show cause directed to [redacted] and Fox Theatre, issued by the United States District Court (USDC) for the Western District of New York (WDNY) on October 4, 1973. SA [redacted] also served [redacted] with a search warrant for the premises known as Fox Theatre, 1618 Denison Parkway East, Corning, New York, such search warrant being issued by the United States District Judge for the Western District of New York on October 4, 1973.

SA [redacted] in addition also served [redacted] with a subpoena issued by United States Attorney (USA) JOHN T. ELVIN, WDNY, Buffalo, New York, to produce a film entitled, "The Devil In Miss Jones," on October 4, 1973, at Elmira, New York.

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Interviewed on 10/4/73 at Corning, New York File # Buffalo 145-444
by SA [redacted] Date dictated 10/9/73

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 10/10/73

[redacted] Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York, was advised of the identities of the interviewing Agents, Special Agents [redacted] and [redacted] as well as the identity of Lieutenant [redacted] and Patrolman [redacted] of the Corning, New York Police Department who were in attendance with the Federal Bureau of Investigation (FBI) Agents. [redacted] was advised of his rights as reflected on a Waiver of Rights Form by SA [redacted] which he read, stated he understood and signed. [redacted] was advised that he was being interviewed in connection with a possible violation of a Federal statute prohibiting the Interstate Transportation of Obscene Material. Immediately thereafter, [redacted] furnished the following information to SAs [redacted] and [redacted]

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[redacted] stated that he had been employed since June 21, 1973, as the Manager of the Fox Theatre, 1618 Denison Parkway East, Corning, New York, with a gross salary of \$125.00 per week.

[redacted] stated that the film entitled "The Devil In Miss Jones," which was presently being shown at the Fox Theatre, was obtained from the Riviera Theatre, 1451 Lake Avenue, Rochester, New York. [redacted] stated that he personally picked this film up at the Greyhound Bus Lines, Corning, New York, one week prior to this film being shown at the Theatre, the exact date he could not recall. He stated that when he picked this film up, he did not pay for it, but signed a receipt for it and obtained this film from [redacted] Manager of the Greyhound Bus Lines, Corning, New York.

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[redacted] stated that the Fox Theatre was owned by the York View Theatre Corporation, which was a sub-corporation of Countrywide Theatres Incorporated. [redacted] stated that his immediate supervisor is Mr. [redacted] and the main office of the Countrywide Theatres is located at the Riviera Theatre, 1451 Lake Avenue, Rochester, New York. [redacted] stated that the records of any films shipped by the Countrywide Theatres

Interviewed on 10/4/73 at Corning, New York File # Buffalo 145-444

by SAs [redacted] Date dictated 10/9/73
and [redacted] /LSS:mms - 21-

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or in the Western District of New York are maintained at the Riviera Theatre, 1451 Lake Avenue, Rochester, New York.

[redacted] stated that the majority of the films shown at the Fox Theatre are usually obtained from the Clark Film Service, Cheektowaga, New York, which is a storage house for films. He further stated that the films shown at the Fox Theatre are usually brought in by the Finger Lake Truck Rental, 2 East Avenue, Waterville, New York, or by the Greyhound Bus Company.

The following description of [redacted] was obtained through observation and interview:

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Name
Alias
Address

[redacted]

Sex
Race
Date of Birth
Place of Birth
Height
Weight
Hair
Eyes
Employment

Elmira, New York

Male
White

[redacted]

Elmira, New York

6'
160 pounds

Blond
Brown

Manager, Fox Theatre
1618 Denison Parkway East
Corning, New York

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 10/10/73

Pursuant to the directive of a search warrant issued by the United States District Court for the Western District of New York (UDNY), Buffalo, New York, a search of the premises known as the Fox Theatre, 1618 Denison Parkway East, Corning, New York, was conducted by Special Agents [redacted] and [redacted]

[redacted] with Lieutenant [redacted] and Patrolman [redacted] [redacted] Corning, New York Police Department, observing. A search of the above named premises revealed the following items which were seized:

- (1) One Metal Film Canister with Greyhound Bus Bill Ticket (Number 48495263 3)
- (2) One composition book
- (3) Miscellaneous loose film

The search commenced at 9:53 PM on October 4, 1973; terminated 10:32 PM on October 4, 1973, and all of the items seized were seized from the Fox Theatre, 1618 Denison Parkway East, Corning, New York.

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Interviewed on 10/4/73 at Corning, New York File # Buffalo 145-444

by SAs [redacted]
and [redacted] LSS:ms Date dictated 10/9/73

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FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 10/12/73

[redacted] age 18, was interviewed in the projection booth of the Fox Theatre, Corning, New York, in the presence of Lieutenant [redacted] Corning, New York Police Department. Prior to interview, [redacted] was advised of his rights by SA [redacted] and he waived same.

[redacted] pointed out the film canister lying on the floor of the projection booth and advised that this was the canister in which the film "The Devil In Miss Jones" had been shipped to the Fox Theatre. [redacted] advised that the shipping card attached to the canister, indicating the film had been shipped from the Riviera Theatre, Rochester, New York to the Fox Theatre, had been attached to the canister when [redacted] first saw the film canister which had arrived at the theatre about September 22 or September 23, 1973 and had been shipped via Greyhound Bus Lines. [redacted] advised he first showed this film on September 24, 1973 and then had retained the film at the theatre for the current showing. [redacted] advised that the only shipping paper he was aware of concerning this particular film was the tag previously mentioned which was attached to the canister.

[redacted] made available a composition book wherein he maintained a listing of the movies shown at the Fox Theatre and this composition book indicated the film "The Devil In Miss Jones" was last shown at the Fox Theatre on September 24 through September 27, 1973.

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The following description was obtained by observation and interview:

Name	[redacted]
Sex	Male
Color	White
Date of Birth	[redacted]
Place of Birth	Lockhaven, Pennsylvania
Height	5'11"
Weight	175
Hair	Light Brown
Eyes	Blue
Build	Medium

Interviewed on 10/4/73 at Corning, New York File # Buffalo 145-444

by SA [redacted] ph [redacted] Date dictated 10/5/73

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Complexion
Residence

Ruddy

CORNING, NEW YORK

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FEDERAL BUREAU OF INVESTIGATION

-1-Date of transcription 10/12/73

During a search of the Fox Theatre, 16 Denison Parkway East, Corning, New York, on the night of October 4, 1973, Special Agents [redacted] and [redacted] accompanied by the theater manager, [redacted], searched the stage area of the theater. In the basement dressing room hallway, located beneath the stage, several trash barrels were noted to contain trash and in one of the barrels, there was located a certain amount of film. Observation of this film indicated it contained scenes from the film "The Devil In Miss Jones" which was currently being shown at the Fox Theatre. [redacted] observed this same film and acknowledged that the film was from "The Devil In Miss Jones" and since dirt had gotten on the film, it had been cut out of the original roll of film. [redacted] advised that although it appeared to be a considerable amount of film, it only amounted to a few seconds of running time. [redacted] advised the film had been placed in the trash barrel to be thrown out and that the custodian of the theater disposes of the trash, including discarded film, whenever he is ready to do so.

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b7CInterviewed on 10/4/73 at Corning, New York File # Buffalo 145-444by SAs [redacted]
and [redacted] RWR;ph Date dictated 10/5/73

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/10/73

1
Mrs. [redacted] Cashier, Fox Theater, 16 Demmison Parkway East, Corning, New York, advised as follows:

She resides at [redacted] Corning, and has been employed by the Fox Theater for four years.

"The Devil In Miss Jones" an X-rated movie, is presently being shown at the theater, and this same picture had been shown here last week; she did not know if it was the same copy or print of the film being shown on the evening of October 4, 1973, as had been shown the previous week.

Upon being apprised that Special Agents of the FBI had served the management of the theater with a Federal Search Warrant and would be conducting a search of the theater premises in an effort to locate papers relating to the interstate transportation of the film, "The Devil In Miss Jones," Mrs. [redacted] stated she did not know how this film came to the theater or when it arrived, nor did she know where the shipping label documents pertaining to its transportation might be located.

She did not know where the film, "The Devil In Miss Jones," was going to be sent following its showing at this theater.

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Interviewed on 10/4/73 at Corning, New York File # Buffalo 145-444

by SA [redacted] /ks Date dictated 10/5/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/10/73

1
Mrs. [redacted] residing at [redacted] Painted Post, New York, employed as a clerk at the candy stand at the Fox Theater, 16 Dennison Parkway East, Corning, New York, advised as follows:

She is not an employee of the Fox Theater, but rather works for Theatre Confections, 795 Monroe Avenue, Rochester, New York and has been so employed for the past four months at the Fox Theater.

Her work concerns itself strictly with the sale of popcorn, candy and other such refreshments, and she has nothing to do with the operation of the theater or the films being shown.

"The Devil In Miss Jones," an X-rated movie is being shown currently at this theater, and the same picture was shown here last week. She has no knowledge concerning how "The Devil In Miss Jones" film was transported to this theater, when it arrived in Corning, or where it was going to be sent when it left this theater.

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Interviewed on 10/4/73 at Corning, New York File # Buffalo 145-444
by SA [redacted] /ks Date dictated 10/5/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription, 10/10/73

Doorman, Fox Theater, 16
Dennison Parkway East, Corning, New York, residing at
Corning, New York, advised as follows:

He has been employed as a Doorman at this theater off and on for about three years, and is an employee of Countrywide Theatres, Incorporated, the theater chain owning the Fox Theater.

"The Devil In Miss Jones," an X-rated movie, is presently being shown at the Fox Theater, and this same picture had been shown here last week, however, he did not know if the same copy or print of the film being shown this evening was the one which had been shown the previous week.

Upon being apprised of the fact that Special Agents of the FBI had served the management of the theater with a Federal Search Warrant and would be conducting a search of the theater premises in an effort to locate papers relating to the interstate transportation of the film, "The Devil In Miss Jones," [redacted] advised that he did not know when or by what means of transportation this film arrived at the Fox Theater, nor did he know where the shipping labels or other such documents pertaining to its transportation be located.

[redacted] advised he knows that frequently the Fox Theater obtains its films via a trucking firm delivery, but he knows that sometimes the films are transported to Corning via Greyhound Bus Lines.

Interviewed on 10/6/73 at Cornell, New York File # Susato 145-444

by SA ROBERT W. BUCHER:ks Date dictated 10/5/73

FEDERAL BUREAU OF INVESTIGATION

-1-Date of transcription 10/12/73

[redacted] Ticket Agent, Greyhound and Trailways Bus Depot, Corning, New York, advised that shipment papers of this depot are sent on a daily basis to the Trailways Office at Batavia, New York and Trailways then sends the Greyhound shipping papers to the Greyhound Office at 1400 West 3rd Street, Cleveland, Ohio. She advised that the shipping papers that transport movie film merely show that a film, never identified, was shipped from a certain theater or place to the Fox Theater and when the Fox Theater ships a film out, it merely shows that the Fox Theater is shipping a film, again not identified, to a particular theater or place.

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b7cInterviewed on 10/10/73 at Corning, New York File # Buffalo 145-444by SA [redacted] ph Date dictated 10/11/73

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/15/73

Pursuant to an authorized Search Warrant, dated October 5, 1973, signed by U. S. Magistrate EDMUND F. MAXWELL, Buffalo, New York, a search was made at 4:05 PM at premises known as the Riviera Theatre, 1451 Lake Avenue, Rochester, New York, for bills of lading or other shipping documents relating to the transportation of the film "The Devil in Miss Jones."

The search was terminated at 5:10 PM.

Seized during the search was an American Airlines baggage ticket, number 10-83-31, for flight number 403, which was obtained from a film container located in a room adjacent to the projection room of mentioned theatre.

Mr. [REDACTED] Manager, Riviera Theatre, 1451 Lake Avenue, Rochester, New York, voluntarily advised that shipping documents relating to above mentioned film would be on file at Countrywide Theatres, Inc., 99 Hawley Street, Binghamton, New York.

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Interviewed on 10/5/73 at Rochester, New York File # Buffalo 145-444
by SAs [REDACTED] (A), [REDACTED]
[REDACTED] GrS:jae Date dictated 10/11/73

BU 145-444

On October 18, 1973, an Adversary Hearing in this matter was held at Buffalo, New York, before United States Magistrate (USM) EDMUND F. MAXWELL. At the conclusion of this Adversary Hearing the USM ruled that subject's attorney had until October 30, 1973, to file brief in this matter and that the United States Attorney's Office (USA), Western District of New York (WDNY), Buffalo, New York, had until November 6, 1973, to answer the brief, after which he would rule as to the obscenity of the film entitled "The Devil In Miss Jones."

By communication, the Buffalo Division forwarded the metal film canister and the numerous strips of film located during the search of the Fox Theatre, Corning, New York, on October 4, 1973, to the FBI Laboratory for examination. The Laboratory examination is as follows:

BU 145-444



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, Buffalo (145-444)

Date:
FBI File No.
Lab. No.

November 2, 1973
145-5824
D-731015158 JC

Re: FOX THEATRE
1618 DENISON PARKWAY EAST
CORNING, NEW YORK
ITOM

Specimens received 10/12/73

Q1 One metal film canister

Q2 Miscellaneous strips of loose film from film entitled "The Devil In Miss Jones"

Result of examination:

The bottom label on the film canister, Q1, reads as follows

"To RIVERA THEATRE
1451 LAKE AVE
ROCHESTER, N. Y.

From OLYMPIA THEATRE
STATE ST
WATN N. Y. "

Matching edges and ends of the Q2 film strips have been taped together. It could not be put in a definite chronological order since the film "The Devil In Miss Jones" has not been received in the Laboratory.

Q1 and Q2 will be returned under separate cover.

BU 145-444

On November 9, 1973, Assistant United States Attorney (AUSA) EDWARD J. WAGNER, WDNY, Buffalo, New York, advised that subject's attorney failed to file brief on November 6, 1973, as instructed by USM EDMUND F. MAXWELL, WDNY, Buffalo, New York. AUSA WAGNER advised that USM MAXWELL had ruled that the movie entitled "The Devil In Miss Jones" was obscene. AUSA WAGNER advised USM issued a Search Warrant for the film entitled "The Devil In Miss Jones," which Search Warrant should be executed in Corning, New York.

On November 9, 1973, AUSA WAGNER advised that he was issuing a subpoena for pertinent shipping documents regarding the shipment of the film entitled "The Devil In Miss Jones," such records being located at Bonded Film Storage Company, Fort Lee, New Jersey.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 12/28/73	INVESTIGATIVE PERIOD 1/24/73 - 12/19/73
TITLE OF CASE CHANGED [REDACTED] Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York; HERBERT NITKE;		REPORT MADE BY [REDACTED]	TYPED BY :dms
		CHARACTER OF CASE ITOM	

GERALD DAMIANO:

dba Countrywide Theatre Corp. and
Yorkview Theatre Corp.

Title marked changed to add names HERBERT NITKE,
[REDACTED] GERALD

DAMIANO, [REDACTED] and [REDACTED]
dba Countrywide Theatre Corp. and Yorkview Theatre Corp.
Title previously carried as [REDACTED] Manager,
Fox Theatre, 1618 Denison Parkway East, Corning, New York."

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ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED
COPIES MADE:SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

- ② - Bureau (145-5324)
1 - USA, Buffalo
1 - Albany (Info)
2 - New York
1 - Newark (Info)
2 - Buffalo (145-444)

145-5324-3	MCT-19
14 JAN 2 1974	REC-1
	ST-114

Dissemination Record of Attached Report			
Agency	1-AAG (cc:em)		
Request Recd.	1/18/74		
Date Fwd.	5/14/74		
How Fwd.			
By			

Notations

SIX
DATA PROC

55 JAN 9 1974

COVER PAGE

BU 145-444

REFERENCES: Report of SA [] dated 11/13/73[✓]
at Buffalo.
Newark airtel to Buffalo dated 11/26/73.
Albany letter to Buffalo dated 12/12/73¹⁴⁰

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LEADS

Albany and Newark being furnished information copies inasmuch as report reflects investigation conducted by those Divisions.

NEW YORK

AT NEW YORK, NEW YORK

1. Will review information furnished in referenced report dated 11/13/73 and submit to Buffalo for background information any investigative report or FD-302 reflecting New York investigation as shown in this particular communication.

2. Will attempt to obtain a photograph of CRAIG CLARK and submit to Newark Division in order that CLARK may be identified as the individual picking up the movie entitled "The Devil in Miss Jones."

BUFFALO

AT BUFFALO, NEW YORK

Will maintain contact with AUSA EDWARD J. WAGNER, WDNY, regarding FGJ proceedings in this matter.

ADMINISTRATIVE

By communication dated 12/12/73, the Albany Division advised as follows:

- B -

COVER PAGE

BU 145-444

ADMINISTRATIVE

The movie, "The Devil in Miss Jones" was stored at Clark Film Service, Albany, for only a few hours. This was when the film was first displayed on or about the first part of 1973.

Records pertaining to this storage and shipping are maintained at the main office of Clark Film Service, Care Of International Film House, 130 Ferry Avenue, Camden, New Jersey.

The above film is being transported in the trunk of an automobile by representatives of the company owning the film.

The investigative period of instant report is extensive and overlaps that of referenced report so as to include investigation previously conducted by Albany in case captioned "GRANADA, 3176 Main Street, Buffalo, New York; ITOM," Bureau file 145-5087, Buffalo file 145-430, and Newark file captioned "[REDACTED] Montauk Theatre, 716 Main Avenue, Passaic, New Jersey; ITOM," Bureau file unknown.

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- C *

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of: [REDACTED]

Office: Buffalo, New York

Date: 12/28/73

Field Office File #: 145-444

Bureau File #: 145-5324

Title: [REDACTED]

Manager

Fox Theatre,
1618 Denison Parkway East,
Corning, New York;
HERBERT NITKE:

[REDACTED]

GERALD DAMIANO:

[REDACTED]

doing business as
Countrywide Theatre Corporation and
Yorkview Theatre Corporationb6
b7CCharacter: INTERSTATE TRANSPORTATION
OF OBSCENE MATTER

Synopsis: New York State Corporation Records reveal
HERBERT NITKE, [REDACTED]
[REDACTED] are owners of Countrywide Theatre
Corporation. Investigation conducted by
Newark Division of the FBI regarding movie
entitled "The Devil in Miss Jones" set
forth. On 11/12/73, search warrant executed
and film entitled "The Devil in Miss Jones,"
seized. Records, Fort Lee, New Jersey;
Fingerlakes Truck Rental, Waterloo, New York
and Countrywide Theatre Corporation, Binghamton,
New York, contain no information regarding
shipment of film. On 12/19/73, AUSA, WDNY,
Buffalo, New York, advised FGJ proceedings
in this matter will begin the first part
of 1974.

- P -

BU 145-444

Details:

By communication the Albany Division advised that on January 24, 1973, SC [redacted] reviewed the records of the New York State Department of State, Corporation Section, which revealed the following:

Corporate Records, Albany, New York, disclose York View Theatre Corporation filed Corporate papers July 28, 1972. Any process is to be sent in care of [redacted] and [redacted] Six East 43rd Street, New York City, New York, and Incorporator is listed as [redacted] [redacted] same address as above.

Panther Theatres Corporation filed Corporate papers August 25, 1966, with Corporate office at Binghamton, New York; [redacted] Brooklyn, New York was listed as Incorporator. Amendment to this Corporation filed February 26, 1969 signed HERBERT NITKE, Shareholder, United Cinemas, Inc. Also listed is [redacted] [redacted] Vice President and Shareholder. Second amendment signed April 17, 1969, changed office of Corporation to City, County and State of New York and all process to be sent in care of [redacted] Esquire, [redacted] New York, New York. [redacted] is listed as Vice President and [redacted] as Assistant Secretary on this amendment. Third amendment filed July 30, 1970 changed name of Corporation to Countrywide Theatres, Inc. with [redacted] listed as Secretary and [redacted] as Vice President. Attached to this amendment is a Certificate of Reservation listing name [redacted] [redacted] Esquire, Realty Equity Corp., 377 Park Avenue, New York, New York.

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By communication, the Newark Division advised that the following investigation had been conducted regarding the film entitled "The Devil in Miss Jones":

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription

6/1/73

The film being shown at the Montauk Theater, 715 Main Avenue, was entitled "The Devil in Miss Jones", which started showing May 9, 1973. This film was viewed on May 21, 1973, in its entirety. The director was listed as GERRARD DAMIAKO and starring GEORGINA SPEVLIN, with JOHN CLEMENS, HARRY REAMS, and CLAIR LUTERRE.

The opening scene shows "Miss Jones" in a sitting position with her dress pulled up to her waist, and she is masturbating. She is begging a male who is in a seated position to help her get off. The scene then switches to an apartment in which "Miss Jones", dressed in a white satin robe, is looking out the window at a rain-swept street. She then removes the robe and looks in a mirror at herself for awhile.

"Miss Jones" then goes into the bathroom and runs water into the bathtub. She gets into the tub and appears to be in a very depressed mood. A safety razor is lying on the side of the tub which she opens and takes out the blade. She then very slowly cuts each wrist and the blood is shown dropping into the water. She then drops her arms into the tub and has apparently committed suicide.

The next scene reflects "Miss Jones" seated at a desk talking to a white male. She has trouble recalling why she is there and indicates it must be to apply for some type of job. The male identifies himself as ABACA and he is supposedly the devil. He explains that she had a good record and her suicide is the only blemish. He explains she was even a virgin and had no sins as far as sex was concerned. She says she cannot understand why her punishment is so severe, but that if she had one more chance, she would live a life of lust. The male explains that it would be impossible for her to return to her former life and after thinking for awhile, says since she was not expected for awhile, he would give her a little time to live a life of lust. He tells her she will have to return when he calls her and he will be watching. She agrees and he instructs her to walk through a door for instructions.

"Miss Jones" walks through the door and there is another white male dressed in a brown robe. She tells him she is lost and could he help her. He tells her she is not lost, and tells her he is her teacher. She then says well let us get on with it, and he tells her to take off her robe. He says the first thing they have

BU 145-444

Interviewed on 5/21/73 at Passaic, N.J. File # Newark: 145
by SAs [redacted] and [redacted] DLJ/pfs b6
[redacted] b7c Date dictated 5/29/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

NK 145-

to do is get rid of her inhibitions. He instructs her to bend over in front of him and to spread her cheeks. She bends over and the male puts a rubber or plastic tapered device on his finger and inserts it into her anus and he tells her to remain in this position and not to let the device fall out or she will be punished.

The male then goes over to a bed and lies on the bed. He tells "Miss Jones" she can stand up and he instructs her to come over to the bed. He opens up his robe exposing his penis, and "Miss Jones" asks if she can touch it. He tells her yes, and she plays with it and he says what do you call it. She answers, penis, cock and prick. She then asks the male whether she could put it in her mouth and he says yes. She performs fellatio, stopping to talk, telling him how big and hard and smooth it is. He instructs her how to put it in her mouth and hands, and she is using numerous words to describe how she likes it.

"Miss Jones" then requests that he put it in her vagina, and he does, and she tells him to be careful, and intercourse is performed for a short time. "Miss Jones" then requests that he put his fingers in her anus and the male inserts his thumb. She then requests the male to enter her anus with his penis which he does. She then takes the plastic device above, and puts it in her mouth while they indulge in this position.

The scene shifts and shows "Miss Jones" and another white female lying nude on a plastic cover. The other female rubs some type of oil over the body of "Miss Jones" feeling her breast, vagina, and anus in the process, and puts her fingers in her vagina and anus. They kiss and the girl performs cunnilingus on "Miss Jones". She simulates the act of putting her tongue in the anus of "Miss Jones".

The scene shifts to a dirty-ringed bathtub and "Miss Jones" has a rubber hose and is spraying water on her nude body. She proceeds to insert the hose in her vagina, and anus and then her mouth.

The scene shifts and shows "Miss Jones" performing fellatio on the male above, the teacher. She tells him how much she likes it, and tells him to ejaculate, which he does on her face.

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NK 145-

The next scene shows "Miss Jones" lying on a bed wearing nothing but stockings. A tray of fruit is nearby and she begins eating an apple and after taking a bite, she rubs the apple on her vagina and takes another bite. She then takes some grapes and inserts them in her vagina and takes them out and puts them in her mouth. She then takes a banana, inserts it in her vagina, removes it, peels it, eats some, rubs in in her vagina, eats some more and eventually eats it while masturbating.

The next scene shows "Miss Jones" lying nude on a bed, and a snake is shown crawling around the public area and moved up her stomach. She takes the snake and imitates the snake's tongue with her own and then places the head of the snake in her mouth imitating fellatio.

The next scene shows "Miss Jones" and ABACA walking in a field and she says for the first time she has found contentment. They then discuss how much time she has left.

The next scene shows another female and "Miss Jones" in the nude performing fellatio on a nude male. The male ejaculates and the two females take turns catching the semen and then taking it from each others' tongues. They then rub the semen over their faces and hands. Intercourse is shown and the two females are kissing each other.

The next scene shows "Miss Jones" and two males nude in bed. She is astride one male having intercourse and the other male is in back of her with his penis in her anus. She talks during this scene, with such phrases as "do you feel each others," "cock", "prick", "ass". She then tells the males not to move as she is about to come and she does not want to. She then tells them to go harder and faster. She then tells them to come outside of her as she wants to feel the juice run down her leg. The males are then shown to ejaculate.

The final scene switches back to the original scene where "Miss Jones" is sitting on a bench with her dress up and masturbating. She is pleading with the white male to "put his fingers or prick in her cunt", to help her get off. She says she cannot do it by herself and promises the man she will lick his prick and ass if he will just help her get off. The male appears to be mentally unbalanced and as "Miss Jones" is begging him to help her, he is talking about a fly which he can watch by pretending he is sleeping. She continues to masturbate and the film ends and it appears "Miss Jones's" sex life is at an end.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/1/73

[redacted] residence, [redacted] Paterson, New Jersey, was interviewed at the place of her employment, Assistant Manager of the Montauk Theater, 715 Main Avenue, telephone number [redacted] or [redacted]

[redacted] advised that she has been employed as Assistant Manager since the last week of March, 1973. She said the Montauk Theater was purchased at this time by [redacted] Montvale, New Jersey, telephone [redacted]. She said she had only observed [redacted] on one or two occasions and he was a white male, 35 years of age, short build.

[redacted] advised that she believed the movie, "The Devil in Miss Jones" was delivered to the Montauk Theater by [redacted] as he delivered most of the films to the theater.

She said the film, "The Devil in Miss Jones" began playing at the Montauk on May 9, 1973, and would play at least through May 29, 1973.

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Interviewed on 5/21/73 at Passaic, N.J. File # BU 145-444
Newark 145-
by SAG [redacted] and [redacted] Date dictated 5/25/73
DLJ/pfs

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 6/4/73

[redacted] telephone number [redacted]
telephonically advised that on May 8, 1973, he did not see anyone drop off the film at the Montauk Theater, Passaic, New Jersey. He said he is employed part time as doorman, and recalls seeing the film in the outer lobby and that he reported this to the Manager. He said he had no idea who brought this or any film to the Montauk.

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Interviewed on 5/23/73 at Wayne, N.J. File # BU 145-444
(telephonic)
by SA [redacted] pfs Date dictated 5/30/73
Newark 145-

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/11/73

1
[redacted] residence [redacted] Montvale, New Jersey, telephonically contacted the Newark Office and advised that he had been interviewed by Agents of the FBI from the New York Office. He advised that he desired to cooperate on matters involving the movies his theaters are showing, but he would not furnish any information that might get him involved.

[redacted] was asked how the movie, entitled "The Devil in Miss Jones" was obtained for his theater, the Montauk, located at 715 Main Avenue, Passaic, New Jersey, and he stated he had no idea how, by what means, or who took the film to the Montauk Theater.

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Interviewed on 5/22/73 at Newark, N.J. (telephonic) BU 145-444
by SA [redacted] /pfs Date dictated 5/29/73 File # Newark 145-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

[redacted]
The New York Office of the FBI telephonically advised that [redacted] was interviewed at the residence of [redacted] Harrison, New York, but declined to furnish any information concerning the film entitled "The Devil in Miss Jones", or the distribution thereof.

[redacted] Operations Manager, 550 Main Street, Fort Lee, New Jersey, advised May 7, 1973, that his records reflected the only print in his possession of the film entitled "The Devil in Miss Jones" was sent to Meatball Productions, 550 Main Street, Fort Lee, New Jersey, on March 19, 1973.

[redacted] Operations Manager, Meatball Productions, 550 Main Street, Fort Lee, advised on May 7, 1973, that the seven prints of "The Devil in Miss Jones" were picked up personally by an individual who signed a receipt for the prints as [redacted] on March 26, 1973. He said this was the first time [redacted] was observed and he was described as a white male, 30's, 5'6"-7", light wavy hair, blond, wore glasses, and dressed in a business suit.

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[redacted] advised that [redacted] was a representative of Meatball Productions, Inc., home office, P.O. Box 289, Harrison, New York.

The New York Office of the FBI, by communication dated May 11, 1973, advised that investigation by the New York Office reflected that P.O. Box 289, Harrison, New York, was rented on January 23, 1973, in the name of [redacted]

[redacted] Harrison, New York. The business was listed as Country Wide Theaters, Inc., 226 West 47th Street, New York City, a motion picture business. Other companies listed above post office box are:

Yorkview Theater Corp.
Wolverine Properties Limited
Beta Theater Corp.
Meatball Productions
Gerard Damiano
UCI Corp.
Herb Nitke
Fayette Theater Corp.
Theta Theater Corp.
Panther Theater Corp.
Pierre Productions

[redacted]

On March 1, 1973, Herbert Nitke, 5 Park Road South, Harrison, New York, was interviewed and advised that he was the producer of the film entitled, "The Devil in Miss Jones". He said this film was being released by Marvin Films (Marvin Films Corp., 1585 Broadway, New York, New York, [redacted] President). According to Nitke, this film was written, directed, and edited by Gerard Damiano, also known as Jerry Gerard, who also directed and edited the film entitled "Deep Throat".

[redacted] a former associate of Nitke in Country Wide Theaters, Inc., was believed to continue his association with Nitke in his motion picture business.

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On May 14, 1973, Herbert S. Nitke, advised that he is affiliated with each of the theater firms listed above, and stated each firm is headquartered at his residence, 5 Park Drive South, Harrison, New York. He admitted ownership of the film entitled "The Devil in Miss Jones", and stated that prints of the film were stored at Bonded Film Storage Co., Inc., Fort Lee, New Jersey, in his, Nitke's Meatball Productions, Inc., account. Nitke refused to make any statement relative to the distribution of this film.

Gerard Damiano, admitted writer, director, and editor of this film for Herbert S. Nitke, on May 14, 1973, declined to make any statement relating to the making of this film and his possible knowledge of its distribution.

On May 14, 1973, [redacted] age 32, white male, 5' 6", 155 pounds, black straight hair streaked gray, hazel eyes, was contacted at the Nitke residence. [redacted] volunteered that he has been employed as a booking agent for Country Wide Theaters, Inc., for the past two and one-half years. [redacted] refused to make any statements relative to his possible involvement in the pickup of seven prints of the film, "The Devil in Miss Jones" at Bonded Film Storage Co., Inc., Fort Lee, New Jersey, for the account of Meatball Productions, Inc., on March 26, 1973. [redacted] refused to make any statement as to his knowledge of the final disposition of the seven prints of the above film.

The following article was obtained from "The Star-Ledger", Newark, New Jersey, May 21, 1973, issue:

(Mount Clipping in Space Below)

"May the blueses
leave it lay for
the pleasure of those
whose taste it is."
JERRY GUN, NEW YORK MAGAZINE

*The Devil
in Miss
Jones*

2ND SHOW WEEK
MONTAUK THEATRE
7:15 Mon. & Tues. - 1977-78
10:22 10:32 10:42 10:52 11:02 11:12 11:22 11:32 11:42 11:52
LATE SHOWS FRIDAY & SATURDAY 11:30

(Indicate page, name of newspaper, city and state.)

Page 26,
The Star-Kings
Newark, N. J.

Date: MAY 21, 1973
Edition:
Author:
Editor:
Title:

Character:
or

Classification:

Submitting Office:

☐ Being Investigated

BU 145-444



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The following article was obtained from "The Daily News", published in New York, New York, May 21, 1973, issue:

(Mount Clipping in Space Below)

George 2nd Smack Mouth!
"The Whole Town's Talking
About the Jones Girl"

SALADOTTI WINS, BILL, Village Voice
 KEVIN SANDERS/WABC-TV

"Georgina Spelvin is a 10-year-old actress, conspicuous for her highly liberated sexuality, and an uncanny resemblance to Queen Elizabeth of England."

NEW YORK POST "Georgina Spelvin, new sex star, full of the Devil!"

GEORGINA SPELVIN III



Soon to be a book and filmed by Grand Hotels
 IN COLOR • ADULTS ONLY

LINCOLN ART 57 57 E. OF BOWLING 2-1133
 10:00 11:00 11:45 12:45 1:45 2:45 3:45 4:45 5:45 6:45 7:45 8:45 9:45
 10:00 11:00 11:45 12:45 1:45 2:45 3:45 4:45 5:45 6:45 7:45 8:45 9:45

MONTANA 215 Main Ave. Phone 337-7140
 1:00 2:00 3:00 4:00 5:00 6:00 7:00 8:00 9:00 10:00 11:00 12:00
 LATE SHOWS THU. & SAT. 11:45

STARTS TUESDAY AT THE

CINEMA ZINGS MONDAY
 NIGHT ON CROWN Pkwy. DE 9-1000
 CONT. FROM 11:45 A.M.

LATE SHOWS THU. & SAT.
 STARTS WEDNESDAY AT THE
 HUSSON PLAZA

Route 9, P.O. Box 1000, Hudson, N.Y.
 HUSSON PLAZA

(Indicate page, name of newspaper, city and state.)

Page 55
 The Daily News
 N.Y. City

Date: May 21, 1967

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

On May 29, 1973, the above information was made known to Thomas W. Greelish, Assistant United States Attorney, Newark, New Jersey, and he advised he wished to reserve final prosecutive opinion in this matter pending a review of the departmental memorandum concerning the prosecution of the interstate transportation of obscene matter. He said he intended to have a decision in the near future concerning the future policy of the office of the United States Attorney in these matters.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/14/73

ARTHUR R. WEBSTER, Chief of Police, Corning, New York, Police Department, was presented with a search warrant at 1:30 p.m. by Special Agent [] at the Corning, New York, Police Department located in City Hall. The search warrant authorized the seizure of the film "The Devil In Miss Jones", and this warrant, a copy of which was left with Chief WEBSTER, was dated November 8, 1973, and signed by EDMUND F. MAXWELL, United States Magistrate.

On presentation of the search warrant, Chief WEBSTER furnished Special Agent [] with four reels of film, portions of which were observed in the presence of Chief WEBSTER, and Special Agent [] determined that these portions were of the same film "The Devil In Miss Jones" which he had observed in its entirety on October 3, 1973, at Corning, New York, and again on October 18, 1973, at Buffalo, New York.

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Chief WEBSTER was given an acknowledgement of the seizure of the four reels of film of "The Devil In Miss Jones" by Special Agent [] on November 12, 1973.

Interviewed on 11/12/73 at Corning, New York File # Buffalo 145-444

by SA [] ^{2ur}lmw/kms -16- Date dictated 11/14/73

BU 145-444

The following investigation was conducted at Fort Lee, New Jersey on November 16, 1973:

[] Operations Manager, Meat Ball Productions, 550 Main Street, Fort Lee, telephone number 201-944-3700, advised that his records contained no information concerning the movie, "The Devil In Miss Jones" being shipped to the Fox Theatre, Corning, New York.

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Since [] advised May 7, 1973, that all prints of "The Devil In Miss Jones" were picked up by [] an employee of HERBERT NITKE, 5 Park Road, South Harrison, New York, and no prints have been returned to the Meat Ball account, 550 Main Street, Fort Lee, it would appear [] or some other employee of NITKE may personally be delivering copies of this film to theatres throughout the U.S.

The following investigation was conducted at Waterloo, New York:

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/5/73

Mrs. [] Office Manager, Finger Lakes Truck Rental, 2 East Avenue, Waterloo, New York, furnished the following information:

[] advised that Finger Lakes Truck Rental distributes films on a regular basis to the Fox Theater in Corning, New York. She stated these films are shipped by Clark's Film Service, Inc., located in Cheektowaga, New York. She stated that trucks for Finger Lakes Truck Rental do not travel out of the State of New York but provide a film transport service between cities in Western New York.

[] advised that films are loaded in Cheektowaga, New York, by Clark's Film Service personnel and the only paper work is a shipping ticket which is made in triplicate. One copy of this shipping ticket is left with the film, when it is delivered to a theater, and two copies are returned to the office, one of which is then forwarded to the theater who received the film with the weekly bill or statement of services.

[] made a review of all shipping tickets showing deliveries to the Fox Theater for the period September 18, 1973, thru October 18, 1973. [] advised that there is normally one weekly shipment to each theater, however, occasionally, on a special, there can be two shipments.

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The shipments to the Fox Theater for the above mentioned period is as follows:

Shipping ticket number 10173B
Dated 9/18/73
Showing two pieces, 5 reels of film
from Howco to Fox, Corning
Film name: "Legend of Boggy Creek"

Shipping ticket number 14186C
Dated 10/4/73
From MGM to Fox, Corning

Interviewed on 11/30/73 at Waterloo, New York File # Buffalo 145-444 -
by SAs [] *JX* JX. [] /JLJ:kms -18- Date dictated 12/3/73

BU 145-444

Two pieces, 6 reels of film, # 7318

10/11/73

Shipped from National General to
Fox Theater, Corning

Film name: "Chinese Connection" and
"Lady Kung Fu"

5 reels of "Chinese Connection"

6 reels of "Lady Kung Fu"

10/18/73

From Paramount to Fox, Corning

Films number 8099 and 6813

11 reels

Mrs. [] advised that sometimes film's name is placed on the shipping ticket and on other occasions only a number is given. There is no other information contained on the shipping ticket.

A review of bills submitted to Fox Theater, Corning, New York, by Finger Lakes Truck Rental for the above period shows that for the week ending September 22, 1973, Fox Theater had a bill of \$22.75 indicating the shipment of September, 18, 1973. For the week ending September 29, 1973, there was a bill of \$12.50 which showed a holdover of the previous mentioned film, however no shipment of film was made for that week. For October 6, 1973, the bill was \$23.75, showing the shipment of film on October 4, 1973.

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[] advised that she is aware the Fox Theater, Corning, New York, receives films from other locations and on one occasion she accidentally sent a bill to Fox Theater reflecting a shipment for a particular week and the officials called and advised that they did not receive the shipment through Finger Lakes Truck Rental but had received shipment direct from New York City via air express.

[] advised that members of Finger Lakes Truck Rental have no way of knowing the contents of the films they deliver. She stated they are normally not signed for by the receiving theaters because films are delivered late at night.

AL 145-443 BU 145-444
RTW/ph

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The following investigation was conducted by SA

[redacted]
On December 4, 1973, Miss [redacted] Office Manager, Country Wide Theaters, Inc., 99 Hawley Street, Binghamton, New York, was interview regarding the shipment documents relating to the film, "The Devil In Miss Jones", reflecting the shipment of the film to the Fox Theater in Corning, New York.

Miss [redacted] stated that her office deals strictly in the accounting matters of Country Wide Theaters, Inc. These matters would include such things as payment of the payroll, taxes, and additional expenses, possibly incurred by theater managers.

Miss [redacted] stated that as far as the shipping papers were concerned, she did not feel her office would be in possession of such papers. Miss [redacted] stated that what she usually receives from the manager of the theater would be an expense account showing expenses incurred by the manager for picking up films, via his personal vehicle, or possibly payments made to trucking companies or to bussing concerns for shipment of the films. Miss [redacted] further stated that usually the bills that she gets do not show the name of the film being shipped, but only the number of reels, and possibly the weight, etc.

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Miss [redacted] stated [redacted]
[redacted] South Rye, New York, is the booking agent and would have knowledge of which films are afforded to which theaters and also could possibly have in possession papers showing the shipment to the different theaters, due to the fact that the booking agent also is responsible for the transportation of the films.

Miss [redacted] was then asked to check her records regarding her payments made for the shipment of the films to the Fox Theater in the early part of October, 1973. With this request, Miss [redacted] then stated that it is company policy not to provide any information unless a subpoena is received ordering the company to provide such information.

AL 145-443

RTW/ph

2

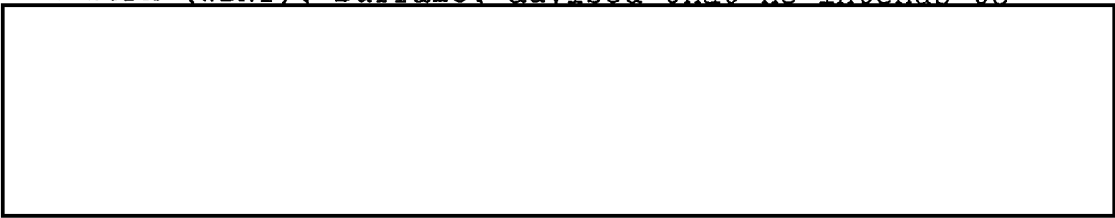
Miss [] subsequently stated that she is in charge of the Country Wide Theater Office, Inc., in Binghamton, New York, and she would be the individual that is in custody of the records and should be the one that would by subpoenaed to provide such records.

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BU 145-444

AT BUFFALO, NEW YORK

On December 19, 1973, Assistant United States Attorney (AUSA) EDWARD J. WAGNER, Western District of New York (WDNY), Buffalo, advised that he intends to



b3 Rule 6(e)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 2/26/74	INVESTIGATIVE PERIOD 5/1/73 - 2/25/74
TITLE OF CASE CHANGED		REPORT MADE BY [Redacted]	TYPED BY :pas
Manager, Fox Theatre 1618 Denison Parkway East Corning, New York; HERBERT NITKE; [Redacted]		CHARACTER OF CASE ITOM	
GERALD DAMIANO; [Redacted] dba Countrywide Theatre Corp. and Yorkview Theatre Corp.			

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Title marked "Changed" to add name [Redacted] obtained in interview of HERBERT NITKE on 5/14/73. Title previously carried as [Redacted] Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York; [Redacted] GERALD DAMIANO; [Redacted] dba Countrywide Theatre Corp. and Yorkview Theatre Corp.

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED *RHA* SPECIAL AGENT IN CHARGE

COPIES MADE:

- ② - Bureau (145-5324) (RM)
- 1 - USA, Buffalo
- 2 - Albany (145-443) (RM)
- 2 - New York (145-3578) (RM)
- 2 - Newark (145-1290) (RM)
- 2 - San Francisco
- 2 - Buffalo (145-444)

DO NOT WRITE IN SPACES BELOW

145-5324-4 MCT-12

22 MAR 1 1974

CH 40

REC 27

Dissemination Record of Attached Report			
Agency	1-AAG(ccim)		
Request Recd.	J. Murphy		
Date Fwd.	FT		
How Fwd.	ALF/um		
By	3/8/74		

Notations

DATA PROC
[Signature]

EX-111

7 0 MAR 1 2 1974

COVER PAGE

BU 145-444.

REFERENCES:

Report of SA [] 12/28/73,³ at
Buffalo.
New York let to Buffalo, 12/27/73.
Buffalo airtel to Newark, 2/14/74.
Newark tel to Buffalo, 2/21/74.
Buffalo airtel to Albany, 2/25/74. *DO*

- P -

LEADS

ALBANY

AT ALBANY, NEW YORK

1. Will execute the subpoena enclosed by re Buffalo airtel to Albany, 2/25/74, in attempt to obtain records reflecting the receiving, storage and shipment of the film entitled "The Devil in Miss Jones" if handled by Firlik Express Company.

2. If records are obtained, attempt to identify individual and/or company who caused film to be shipped.

3. Interview [] Manager, Clark Film Services, in attempt to identify individual who picked up film at Clark Film Services, Albany, New York.

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SAN FRANCISCO

AT HAYWARD, CALIFORNIA

Attempt to obtain a photograph from the Hayward PD of [] and submit to New York Office in order that SAs [] and [] may identify photograph, it being noted that [] was interviewed on 5/14/73.

- B -
COVER PAGE

BU 145-444

LEADS (Continued)

NEW YORK

AT NEW YORK, NEW YORK

If photograph obtained from San Francisco of [redacted] and is identical, submit to Newark in order that Newark may display photograph to [redacted] Operations Manager, Meatball Production, Fort Lee, New Jersey, for identification purposes.

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BUFFALO

AT BUFFALO, NEW YORK

Will follow and report Grand Jury proceedings, WDNY, Buffalo.

ADMINISTRATIVE

Investigative period of instant report is extensive and overlaps that of rerep so as to include investigation previously conducted by New York re the movie entitled "The Devil in Miss Jones."

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of: [REDACTED]

Office: Buffalo, New York

Date: 2/26/74

Field Office File #: 145-444

Bureau File #: 145-5324

Title: [REDACTED]

b6
b7CManager, Fox Theatre
1618 Denison Parkway East
Corning, New York;
HERBERT NITKE;~~XXXXXXXX~~

[REDACTED]

~~XXXXXXXX~~

GERALD DAMLANO;

[REDACTED]

dba Countrywide Theatre Corp.
and Yorkview Theatre Corp.

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: Investigation conducted by New York Office of the FBI regarding movie entitled "The Devil in Miss Jones" set forth. Records of Clark Film Services, Inc., 130 Ferry Avenue, Camden, New Jersey, negative re movie entitled "The Devil in Miss Jones."

- P -

Details: By communication, the New York Office of the FBI advised the following investigation concerning the movie entitled "The Devil in Miss Jones" had previously been conducted:

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/73

HERBERT NITKE, 5 Park Road South, Harrison, New York, was contacted at latter location. He was immediately advised of the identities of the interviewing agents. Special Agent (SA) [] furnished NITKE with a copy of an Interrogation: Advice of Rights form which NITKE read in the presence of Agents [] and []. NITKE stated that he understood the contents of said form, however, he declined to sign same.

NITKE was advised that the interviewing agents desired to talk to him concerning his possible involvement in the March 27, 1973, Interstate Transportation of the motion picture film "I SPY" which was shown in several of his upstate New York Theatres.

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NITKE furnished the following information:

NITKE claims that the motion picture film "I SPY" was transported by his assistant [] in his personally owned vehicle and that he, [], did not cross state lines in delivering this film to his, NITKE's, theatres in New York State.

NITKE stated that he resides at 5 Park Road South, Harrison, New York and his residence telephone numbers are 914-967-7192 and 914-967-5642. He also maintains an apartment at 40 Central Park South, New York, New York. At the present time he is separated from his wife and she is in England with their two children, a boy and a girl in their teens. During this interview, NITKE stated that he is the producer of the new film entitled, "DEVIL IN MISS JONES", which is being released by Marvin Films. He said that GERARD DAMIANO wrote, directed and edited this film. He stated that DAMIANO is identical with JERRY GERARD a pseudonym utilized by DAMIANO when he wrote, directed and edited the film entitled, "DEEP THROAT".

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~~NITKE continued that he did not know whether or~~

Interviewed on 5/1/73 Harrison, New York

Buffalo 145-444

SA []
SA []AND -
PGR:tm

Date :

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not he should release the film "DEVIL IN MISS JONES" among theatres which feature sexually oriented films or whether to engage in legitimate theatres and release it as a competitive type film to "LAST TANGO IN PARIS."

NITKE furnished a copy of a column in variety dated Wednesday February 21, 1973 which featured a favorable review by that publication. This article indicated that the film was released by Marvin Films and that JERRY DAMIANO wrote, produced, directed and edited the film. Photography is in color by HARRY FLECKS, sound by BILL RICH and music by ALDEN SHUMAN. It was reviewed at a preview at 43rd Street on February 15, 1973 and has a self-imposed X rating. The running time is 74 minutes. The film features:

JUSTIN JONES.....	GEORGINA SPEVLIN
ABACA.....	JOHN CLEMENS
THE TEACHER.....	HARRY BEAMS
MAN IN THE CELL.....	ALBERT GORK

Also featured are MARK STEVENS, DICK LIVERMORE, SUE FLAKEN.

This review is a story about a 30ish virgin, JUSTIN JONES, who committed suicide and is condemned to eternal damnation. She requests a little more time of the Devil to make herself "worthy" of the punishment and uses this time to experiment with and be consumed by lust. During this time, she begins "erotic odyssey", the likes of which have never been depicted on screen. This odyssey includes dialogue sex scenes to emphasis degradation of erotic frenzy. The article also indicated that GEORGINA SPEVLIN lacks the specific sexpertise of LINDA LOVELACE, however her performance is a naked invasion of privacy. This review also stated that the male performers have been treated as sexual objects and are vets, with the exception of DAMIANO himself, who appears under the name of ALBERT GORK in the picture's hellish finale.

FEDERAL BUREAU OF INVESTIGATION

5/18/73

Date of transcription

GERARD DAMIANO was contacted at the residence of HERBERT NITKE, 5 Park Road South, Harrison, New York. He was immediately advised of the identities of the interviewing agents. Special Agent (SA) [redacted] furnished him with a copy of an "Interrogation: Advice of Rights" form which he, DAMIANO, read in the presence of SAs [redacted] and [redacted]. After reading the latter form, DAMIANO advised that he understood the contents of said form, however, he declined to sign same.

DAMIANO furnished the following information:

He was born August 4, 1928, in the Bronx, New York, is married, and resides with his wife and two children at 30-20 75th Street, Jackson Heights, Queens, New York, residence telephone 478-8861. He is self-employed as a motion picture film writer, director, producer and editor.

DAMIANO advised that he and LOUIS PERAINO, whom he refused to further identify, started Damiano Film Productions, Incorporated, around February or March, 1971. At that time their office was located on West 42nd Street, between 7th and 8th Avenue, New York, New York. DAMIANO stated that he had a 1/3 interest in the corporation and LOUIS PERAINO had the remaining 2/3 interest. DAMIANO said that he has never known LOUIS PERAINO's residence or residence telephone number. He said that he first met LOUIS PERAINO through mutual acquaintance whom he refused to identify. When he and PERAINO were in agreement concerning the setting up of Damiano Film Productions, Incorporated, he, DAMIANO, was to make the motion picture film and PERAINO would supply the money necessary for the production of the motion picture film. Their first venture was a motion picture film entitled, "SEX USA". This was not a hardcore pornographic motion picture film as it only depicted simulated sex acts. He recalls that he and PERAINO after setting up Damiano Film Productions, Incorporated, worked for three or four months without a salary. After

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Interviewed on 5/14/73 at Harrison, New York

Buffalo 145-444

by SA [redacted] and
SA [redacted] JJM:tm

they had received their share of the proceeds in connection with the motion picture film entitled, "SEX USA", they thereafter received a salary of \$150.00 per week.

From the proceeds of the motion picture film entitled, "SEX USA", he and PERAINO then made the motion picture film entitled, "Deep Throat" which he DAMIANO admitted writing, directing and editing. "Deep Throat" was made at a cost of \$25,000. The picture was shot in the Miami, Florida area. DAMIANO said that quite a few scenes were shot at the Voyager Motel on Biscayne Boulevard, Miami, Florida and other scenes were shot at the residences of friends or a "friend of a friend" none of whom DAMIANO was willing to identify. Relative to the photographer who shot this picture, DAMIANO stated that he did not care to identify this individual. Furthermore, he declined to identify any of the participants in this picture with the exception of LINDA LOVELACE, the picture's leading female star. DAMIANO said that it is his recollection that the motion picture film entitled "Deep Throat" was shot around Thanksgiving Day in November, 1971. He said that many of the participants in this film stayed at the Voyager Motel during the shooting of the film and that he, DAMIANO, picked up the motel and food bill for these individuals.

Relative to LINDA LOVELACE, DAMIANO stated that he first met her business manager one CHUCK TRAYNOR, who visited him in his office on West 42nd Street, New York, New York, shortly after he, DAMIANO went into business. DAMIANO recalls that CHUCK TRAYNOR at that time was making the rounds of motion picture producers in the New York City area in order to get LINDA LOVELACE employment. It was at this time that CHUCK TRAYNOR gave him, DAMIANO, his telephone number in Miami, Florida. He told TRAYNOR that if he, DAMIANO were in Miami, Florida, he would look him up. He does not recall whether or not it was he or his production manager who initiated the contact of CHUCK TRAYNOR for the services of LINDA LOVELACE in the motion picture film entitled, "Deep Throat", when they arrived in Miami, Florida to film the picture. DAMIANO declined to identify the production manager.

DAMIANO stated that they made the film "Deep Throat" in six or seven days. It is his recollection

that his production manager, whom he again refused to identify sent the undeveloped film of Deep Throat to Precision Laboratory at 630 9th Avenue, New York, New York. He has no idea how the undeveloped film was sent to New York but opined that his production manager or one of his assistants probably transported the film back to New York by an unknown mode of transportation.

DAMIANO stated that it is his recollection that Precision Laboratory developed the original "DEEP THROAT" negative. Precision Laboratory had some difficulty with the color in the prints and the negative was then given to another film laboratory in the New York City area by, he believes, LOUIS PERAINO to make positive prints.

After completing the motion picture film entitled, "Deep Throat" he and PERAINO then made a horror film, first titled "Muldavo" which was later changed to "Legacy of Saton". He recalls that the latter picture was shot in approximately 10 days during March or April, 1972. During the shooting, of the latter picture, LOUIS PERAINO constantly hounded him about being behind in the shooting schedule and accused him of over budgeting. Furthermore, PERAINO was displeased with his direction of the picture; fired him and hired another director to complete the picture. Approximately one week later LOUIS PERAINO asked him to come back to complete the picture and edit same, which he did. When he completed the latter work he told LOUIS PERAINO that he wanted to leave the firm. LOUIS PERAINO did not object to his leaving and asked him if he wanted to sell out his 1/3 interest in the firm and also inquired of him as to what he, DAMIANO, thought his share was worth. According to DAMIANO they settled on a figure of \$15,000. PERAINO agreed to pay him \$800 per month until the \$15,000 was paid to him. PERAINO had paid him the sum of \$800 per month up until April, 1973 when he failed to receive a payment from PERAINO. PERAINO still owes him 7 or \$8000. It is DAMIANO's recollection that the \$800 per month was paid by check made out to him and drawn on the account of Damiano Film Productions, Incorporated. The checks were originally signed by LOUIS PERAINO but believes some of the latter checks were signed by a PHIL PARISI (phonetic) DAMIANO said he had no idea as to what association PHIL PARISI had with LOUIS PERAINO or with Damiano Film Productions, Incorporated. When questioned as to whether

BU 145-444)

or not he knew PHIL PARISI and for how long a period he had known him, DAMIANO said he had met him at various motion picture film screenings in the New York City area. DAMIANO declined to describe LOUIS PERAINO, and PHIL PARISI. DAMIANO added that he believes that DAMIANO Film Productions, Incorporated moved from West 42nd Street, New York, New York, to 630 9th Avenue, sometime during the latter part of 1971 or the beginning of 1972. As previously stated he disassociated himself from LOUIS PERAINO and DAMIANO Film Productions, Incorporated in March or April, 1972. He then returned for a short period of time to complete the horror film "Legacy of Satan" and finally disassociated himself around June or July, 1972 when he sold his share of the business to LOUIS PERAINO for \$15,000. Since then he has not seen or heard from LOUIS PERAINO.

DAMIANO added that at no time did anyone bring any type of pressure on him to sell his interest in DAMIANO Film Productions, Incorporated.

DAMIANO admitted that he is the writer, director, and editor of the motion picture film entitled, "DEVIL IN MISS JONES" and "MEATBALL". He said that he made the latter two films for HERBERT NITKE. He declined to make any statement relative to the making of these films and his possible knowledge of their distribution.

The following description of DAMIANO was obtained through observation and interview:

Name	GERARD DAMIANO
Also known as	Jerry Gerrard
Sex	Male
Race	White
Date of birth	August 4, 1928
Place of birth	Bronx, New York
Height	5 feet, 7 inches
Weight	165
Hair	Grey, wavy, streaked black
Eyes	Brown
Tatoos	Scroll on right forearm

BU 145-4441

Military Service	United States Navy 1945-1949, Honorable Discharge
Social Security Account Number	074-20-8733
Marital status	Married
Wife	[redacted] nee [redacted] age 32.
Children	Two, Boy age 8, girl age 7
Residence	30-20 75th Street, Jackson Heights, Queens, New York 478-8861
Employment	Self-employed as Motion Picture Film, writer producer, director and editor.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/23/73

Mr. [] was interviewed in the home of Mr. HERBERT NITKE, 5 Park Avenue South, Harrison, New York, which is also the business residence for Yorkview Theaters Corporation, and Country Wide Theaters Corporation. [] was advised of the identity of the interviewing Agents, and was presented with a Rights and Waiver form explaining his Constitutional Rights. [] read this form, acknowledged that he understood his Constitutional Rights, and declined to sign said form, although he did state he understood these rights.

[] advised that he would be willing to listen to any questions asked, but was not particularly interested in answering any. [] was asked whether or not he transported the movie "I Spy" from Fort Lee, New Jersey, to Buffalo, New York, or Rochester, New York, in his own privately owned vehicle, or by any other means of transportation. [] stated that he would decline to answer that question. [] is described as a white male, Date of Birth [] Place of Birth Kaperelli, Thobes, Greece, five feet seven inches, 165 pounds, black hair, brown eyes, married with three children, permanent residence [] Montveil, New Jersey, telephone numbers [] and []

b6
b7CInterviewed on 5/14/73 Harrison, New York

Buffalo 145-444

by SAs [] and [] PGR:bah

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Date of transcription 5/23/73

[] was contacted at the residence of HERBERT S. NITKE, 5 Park Drive South, Harrison, New York. He was immediately advised of the identities of the interviewing Agents. He was furnished a copy of "Interrogation; Advice of Rights" form, which he read in the presence of Special Agents [] and []. After reading the latter form, [] stated that he was fully aware of his constitutional rights.

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[] furnished the following information:

He has been the booking agent for the Country Wide Theaters, Incorporated for approximately 2½ years. He said that the latter corporation is currently located at the NITKE residence.

[] refused to make any statement relative to his possible involvement in the pickup of seven prints of the motion picture film entitled "The Devil in Miss Jones" at Bonded Film Storage Company, Fort Lee, New Jersey, for the account of "Meatball Productions" on March 26, 1973. [] denied booking the film "The Devil in Miss Jones" into the Crown Theater, New Haven, Connecticut. He stated that he has no knowledge as to who transported the film "The Devil in Miss Jones" to the Crown Theater and refused to make any statement as to his knowledge of the final disposition of the latter mentioned seven prints of the motion picture film entitled "The Devil in Miss Jones".

[] when questioned as to whether or not he was responsible for booking the film entitled "Meatball" into any theater in the United States, said that he would not make any statement concerning the latter.

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[] when questioned as to whether or not any personally owned automobile was used at any time in connection with transporting any motion picture film handled by him at any time said he would have nothing to say in connection with the latter

Interviewed on 5/14/73 at Harrison, New York File # Buffalo 145-444
by SAS [] and [] men Date dictated 5/18/73

BU 145-444

The following description of [] was obtained through interview and observation:

Name	[]
Sex	Male
Race	White
Age	32
Height	5 feet, 6 inches
Weight	155 pounds
Hair	Blark, streaked gray
Eyes	Hazel
Employment	Booking agent for Country Wide Theaters, Incorporated 5 Park Drive South Harrison, New York
Marital Status	Married
Wife	[]
Children	Age 30 3, ages 3, 5 and 7
Military Service	United States Army Number []
Social Security #	[]
Arrests	None admitted
Residence	[] Yorktown Heights, New York.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/23/73

HERBERT NITKE was contacted at his residence, 5 Park Drive South. He was immediately advised of the identities of the interviewing Agents. He was furnished a copy of "Interrogation; Advice of Rights" form, which he read in the presence of Special Agents [] and []. NITKE stated that he understood the contents of said form, however, he refused to sign same.

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NITKE voluntarily furnished the following information: He and [] are principals in the following firms, all of which are located at his residence, 5 Park Drive South,:

Country Wide Theaters, Incorporated
Yorkview Theater Corporation
Wolverine Properties, Inc., Limited
Beta Theater Corporation
Meatball Productions
UCI Corporation
Fayette Theater Corporation
Theta Theater Corporation
Panther Theater Corporation
Pierre Productions.

Relative to Post Office Box 289, Harrison, New York, NITKE advised that the latter POB is listed in the names of those firms set forth previously. NITKE stated that he is the producer of the film entitled "The Devil in Miss Jones". He said that the latter picture was written, directed and edited by GERARD DAMIANO, who also wrote, directed and edited the film "Deep Throat".

NITKE stated that prints of the film entitled "The Devil in Miss Jones" are stored at Bonded Film Storage Company, Incorporated, Fort Lee, New Jersey, in his Meatball Productions, Incorporated account. NITKE refused to make any statement relative to the distribution of the film entitled "The Devil in Miss Jones" or the motion picture film entitled "Meatball", which NITKE readily admitted was his.

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Interviewed on 5/14/73 at Harrison, New York File # Buffalo 145-444

SAS [] and
by [] men Date

BU 145-444

NITKE identified [redacted] also known as [redacted] as one of his employees. Also he identified [redacted] as one of his employees and added that [redacted] is the booking agent for Country Wide Theaters, Inc.

At this point, NITKE stated that he would have nothing further to say relative to the motion picture films "The Devil in Miss Jones" and "Meatball".

The following description of NITKE was obtained through interview and observation:

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Name	HERBERT S. NITKE
Sex	Male
Race	White
Date of Birth	January 20, 1916
Place of Birth	Bronx, New York
Height	5 feet 11 inches
Weight	180 pounds
Hair	Brown, streaked gray
Eyes	Brown
Marital Status	Separated
Children	two, ages 9 and 12
Military Service	United States Air Force 1942-45 Honorable Discharge
Occupation	Motion picture producer
Residence	5 Park Drive South Harrison, New York

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/30/73

[redacted] President, Marvin Films Corporation, 1585 Broadway, New York, New York, was contacted at the latter address. He was immediately advised of the identity of the interviewing Agent. He was furnished a copy of "Interrogation; Advice of Rights" form, which he read in the presence of SA [redacted] and stated he understood the contents of said form.

[redacted] advised that he has never been approached at any time to handle the distribution of the motion picture film entitled "The Devil in Miss Jones".

[redacted] refused to discuss his association with HERBERT S. NITKE, [redacted] and [redacted] all of Country Wide Theaters, Incorporated, 5 Park Drive South, Harrison, New York.

At this point, Mr. [redacted] stated that he had nothing further to say to the FBI.

b6
b7C

Interviewed on 5/21/73 at New York, New York File Buffalo 145-444

by SA [redacted] men D

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 6/5/73

Miss [redacted] Receptionist and Theater Booker, Preview Theaters, Incorporated (Inc.), 1600 Broadway, New York, New York, made available the following information concerning the screening of the motion picture film entitled, "The Devil In Miss Jones" and "Heatball":

Preview Theaters, Inc. Invoice Number 471, dated February 23, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened at 132 West 43rd Street, New York, New York, on February 15, 1973, from 1:30 PM to 3:00 PM at the request of [redacted] of Marvin Films, 1585 Broadway, New York, New York, Suite Number 300. Marvin Films was billed \$37.50 for this screening.

b6
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A projection slip, dated February 15, 1973, shows that Projectionist [redacted] screened the motion picture film entitled, "The Devil In Miss Jones" from 1:30 PM to 3:00 PM on February 15, 1973. This slip bears the signature of one [redacted] in the lower righthand corner.

According to Miss [redacted] the signature [redacted] she believes to be that of [redacted] of Marvin Films, Inc. Furthermore, she said that the fact that [redacted] signed the projection slip would indicate that he, [redacted] was in fact present during the latter screening.

Miss [redacted] made available Preview Theater, Inc. Invoice Number 472, dated February 23, 1973, which showed that at the request of Marvin Films the motion picture film entitled, "The Devil In Miss Jones" was screened at 132 West 43rd Street, New York, New York, on February 21, 1973, from 1:30 PM to 3:00 PM. Marvin Films was billed \$37.50 for this screening.

b6
b7C

A projection slip, dated February 21, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened by [redacted] at [redacted] New York, New York, from 1:30 PM to 3:00 PM, on February 21, 1973. The signature on the slip in the lower righthand corner of this projection slip appears to be [redacted] of Williamson.

Interviewed on 5/24/73 at New York, New York

Buffalo 145-444

by SA [redacted] :cer

BU 145-444

Miss [] made available Preview Theaters, Inc. Invoice Number 721, dated February 28, 1973, which showed that at the request of Marvin Films the motion picture film entitled, "The Devil In Miss Jones" was screened on February 27, 1973 from 3:00 PM to 4:30 PM. Marvin Films was billed \$37.50 for this screening.

A projection slip, dated February 27, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened by Projectionist [] at 132 West 43rd Street, New York, New York, on February 27, 1973, from 3:00 PM to 4:30 PM. The signature appearing in the lower righthand corner of this projection slip is illegible.

Miss [] made available Preview Theaters, Inc. Invoice Number 917, dated March 20, 1973, which showed that at the request of Marvin Films the motion picture films entitled, "The Devil In Miss Jones" and "Meatball" were screened on March 5, 1973, from 10:00 AM to 1:00 PM. Marvin Films was billed \$75.00 for these two screenings.

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A projection slip, dated March 5, 1973, shows that the motion picture films entitled, "The Devil In Miss Jones" and "Meatball" were screened by Projectionist [] on March 5, 1973, from 10:00 AM to 1:00 PM. The signature appearing in the lower righthand corner of this projection slip is illegible.

Miss [] advised that her booking sheet for March 21, 1973, contains a notation to the effect that the film entitled, "The Devil In Miss Jones" was scheduled to be screened for a Mr. [] and [] of the French Film Office, telephone number 832-8861. There is a further notation which reads as follows:

"Damiano print okay to bill [] and [] of Marvin Films".

Miss [] made available Preview Theaters, Inc. Invoice Number 1022, dated March 27, 1973, relative to the latter mentioned screening on March 21, 1973. This invoice showed that at the request of Marvin Films the motion picture film entitled, "The Devil In Miss Jones" was screened on March 21, 1973, from 1:00 PM to 2:30 PM.

BU 145-444

The projection slip for March 21, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened at 132 West 43rd Street, New York, New York, from 1:00 PM to 2:30 PM on March 21, 1973, by Projectionist [redacted] Miss [redacted] noted that [redacted] [redacted] signed this projection slip for the French Film Office.

Miss [redacted] made available Preview Theaters, Inc. Invoice Number 1174, dated March 30, 1973, which showed that at the request of Marvin Films the motion picture film entitled, "The Devil In Miss Jones" was screened on March 26, 1973, from 6:00 PM to 7:30 PM. Marvin Films was billed \$50.00 for this screening.

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The projection slip for March 26, 1973, shows that the motion picture film entitled, "The Devil In Miss Jones" was screened at 132 West 43rd Street, from 6:00 PM to 7:30 PM on March 26, 1973, by Projectionist [redacted] According to Miss [redacted] the signature appearing in the lower righthand corner of this projection slip appears to be [redacted]

Miss [redacted] advised from records that [redacted] has telephone number BR 9-8474.

Miss [redacted] advised that DAMIANO mentioned previously is identical with GERARD DAMIANO of Damiano Film Productions, Inc., 630 Ninth Avenue, New York, New York, telephone number 581-5240.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

6/25/73

1.

At 2:25 pm, this date, the writer served a subpoena duces tecum on the person of [redacted] President, Marvin Films, Incorporated, 1585 Broadway, New York, New York. This subpoena directed [redacted] to produce in the Federal District Court, Central District of California, on July 2, 1973, at 10:00 am, all records and correspondence pertaining to any and all shipments, orders or payments for shipments of the film, "The Devil In Miss Jones", into the State of California during the period of January, 1972, through June, 1973.

[redacted] volunteered that he did have some connection with the motion picture film, "The Devil in Miss Jones" when it was first released; however, he declined to say just what his connection was with this film. [redacted] advised that after his arrest by Bureau Agents of the New York Office on February 20, 1973, in connection with a conspiracy to transport in interstate commerce, a motion picture film entitled, "School Girl", he had nothing further to do with the film, "The Devil in Miss Jones".

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b7C

Interviewed on 6/20/73 at New York, New York File # Buffalo 145-444

by SA [redacted] :lcn

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 7/13/73

Mr. [REDACTED] Plant Manager, Technicolor, Incorporated, Radiant - New York, 321 West 44th Street, furnished the following autostats pertaining to work completed for Meatball Productions, Incorporated, Post Office Box 289, Harrison, New York:

Invoice Number	Date	Title	Number of Prints
3488	March 15, 1973	"The Devil In Miss Jones" (35 millimeter)	10
3980	March 23, 1973	"The Devil In Miss Jones" (11 Trailer)	-
5590	March 31, 1973	"The Devil In Miss Jones" (35 millimeter)	10
5649	March 31, 1973	"The Devil In Miss Jones" (35 millimeter)	3
6164	April 6, 1973	"The Devil In Miss Jones" (35 millimeter)	2
7619	April 23, 1973	"The Devil In Miss Jones" (35 millimeter)	6
8353	April 27, 1973	"The Devil In Miss Jones" (35 millimeter)	6
8354	April 27, 1973	"The Devil In Miss Jones" (35 millimeter)	6
8355	April 27, 1973	"The Devil In Miss Jones" (35 millimeter)	6
8260	April 27, 1973	"The Devil In Miss Jones" (Trailer)	15
8261	April 27, 1973	"The Devil In Miss Jones" (Trailer)	20
9401	May 9, 1973	"The Devil In Miss Jones" (35 millimeter)	6
9533	May 10, 1973	"The Devil In Miss Jones" (35 millimeter)	6
10060	May 18, 1973	"The Devil In Miss Jones" (35 millimeter)	11
10072	May 18, 1973	"The Devil In Miss Jones" (16 millimeter)	3

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Interviewed on 7/6/73 at New York, New York

Buffalo 145-444

by SA [REDACTED]:cap Date

-19-

This document contains neither recommendations nor conclusions of the FBI and its contents are not to be distributed outside your agency.

It is the property of

BU 145-444

2.

10085	May 18, 1973	"The Devil In Miss Jones" (35 millimeter)	14
10968	May 25, 1973	"The Devil In Miss Jones" (Trailer) (16 millimeter)	15
11743	June 15, 1973	"The Devil In Miss Jones" (35 millimeter)	15
11859	June 18, 1973	"The Devil In Miss Jones" (16 millimeter)	15
13197	June 25, 1973	"The Devil In Miss Jones" (35 millimeter)	6

In addition to the above-listed autostats, Mr. [] furnished an autostat of Lab Order number 61344 work sheet, dated June 25, 1973, pertaining to Meatball Productions listing six (6) 35 millimeter prints made of the film entitled: "Meatball"

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FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 7/12/73

[redacted] was contacted at the residence of [redacted]. He was immediately advised of the identity of the interviewing agent. He was furnished a copy of "Interrogation; Advice of Rights" form which he read in the presence of Special Agent (SA) [redacted] but declined to sign said form.

[redacted] declined to make any statement relative to the making, production and distribution of the motion picture films entitled "The Devil in Miss Jones" and "Meatball".

[redacted] stated he knew nothing about the corporate structure of Damiano Film Productions, Incorporated (Inc.).

[redacted] declined to answer any questions without consulting an attorney. The interview was terminated at this point.

The following description of [redacted] was obtained through interview and observation:

Name	[redacted]	
	also known as [redacted]	
Sex	Male	
Race	White	
Date of Birth	[redacted]	
Place of Birth	New York City	
Height	5 feet 7 inches	
Weight	220 pounds	
Hair	Dark brown	
Eyes	Brown	
Military Service	New York National Guard	
	[redacted]	
Marital Status	Married	
	Wife [redacted]	
Employment	Yorkview Theatre Corporation	
	[redacted]	
	Harrison, New York - as an accountant and controller	
Residence	[redacted]	

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b7c

Interviewed on 7/9/73 at Harrison, New York

by SA [redacted] as [redacted] Date [redacted]

Buffalo 145-444

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and its contents are not to be distributed outside your agency.

BU 145-444

2.

Residence Telephone
Number

Fairlawn, New Jersey

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BU 145-444

The following investigation was conducted by SA [redacted]

On May 8, 1973, [redacted] Postmaster, United States Post Office, Harrison, New York, advised that Post Office Box 289, Harrison, New York, was rented on January 23, 1973, in the name of [redacted] [redacted] Harrison, New York. A business was listed as Country Wide Theatres, Inc., 226 West 47th Street, New York City - motion picture business. Other companies listed with above Post Office Box number are:

Yorkview Theatre Corporation
Wolverine Properties Limited
UCI Corporation
Herb Nitke and Gerard Damiano
Fayette Theatre Corporation
Theta Theatre Corporation
Panther Theatre Corporation
Pierre Productions

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b7c

The Cole's Directory lists HERBERT S. NITKE, telephone numbers 967-5642 and HERBERT NITKE, 967-7197, both at 5 Park Drive South, Harrison, New York.

It is noted that NITKE's residence is located on the grounds of the Westchester Country Club, Harrison, New York.

The Westchester Credit and Collection Bureau, Inc., White Plains, New York, as checked on May 8, 1973, contained the following concerning HERBERT NITKE:

NITKE and his wife, [redacted] have resided at 5 Park Drive South, Harrison, New York, since 1965. NITKE is listed as the President of Panther Theatres Corporation, 1501 Broadway, New York, New York, now at 226 West 47th Street, New York, New York.

On January 11, 1974, Assistant United States Attorney (AUSA) EDWARD J. WAGNER, Western District of New York (WDNY), Buffalo, advised as of this date he has been unable to schedule the movie entitled "The Devil in Miss Jones" on the Grand Jury calendar, and this particular movie would be scheduled at the earliest convenient date.

On February 13, 1974, AUSA WAGNER advised that Grand Jury proceedings in above captioned matter are scheduled to commence in Buffalo, New York during the latter part of February or early part of March, 1974. AUSA WAGNER advised he desired the records of Clark Film Services, Inc., Camden, New Jersey, be searched in attempt to ascertain if film stored in Albany, New York might be the same film shown in Fox Theatre, Corning, New York.

By communication dated February 21, 1974, Newark Division advised as follows:

On February 21, 1974, a subpoena issued by Western District of New York, U. S. District Court, was presented to [redacted] Clark Film Services, Inc., 130 Ferry Avenue, Camden, New Jersey and [redacted] stated that Clark Film Services never handled the film entitled "The Devil in Miss Jones."

[redacted] stated [redacted] Manager, Clark Film Services, Albany, New York, had advised him by telephone that a delivery service probably dropped a copy of the film at Clark Film Services, Albany, and shortly thereafter, someone picked it up off the loading dock. [redacted] stated Clark Film Services was never responsible for the film, received no revenue or stored the film and has no record of ever handling the film.

[redacted] stated that Firlik Express Company usually delivers films to Clark Film Services in Albany, New York and they may have left "The Devil in Miss Jones" at Clark Film Services for another individual to pick up.

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[redacted] also stated that [redacted] told him he heard the film was picked up in Fort Lee, New Jersey and delivered in a privately owned vehicle to New York State where it appeared in various theatres. He stated that [redacted] also told him "Petite Cinema," Albany, New York, had four or five prints of the film hidden in the back of the theatre.

[redacted] was unable to furnish any additional information.

BU 145-444-

On February 25, 1974, AUSA WAGNER advised he desired the records of Firlik Express Company, Albany, New York, be searched in attempt to ascertain if this particular company had handled the movie entitled "The Devil in Miss Jones." AUSA WAGNER issued a subpoena for the Firlik Express Company, Albany, New York in the event this particular company was not cooperative when interviewed.

AUSA WAGNER advised, as of this date, Grand Jury proceedings in above captioned matter are scheduled to commence in Buffalo, New York on or about the first part of March, 1974.

5/8
FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 4/26/74	INVESTIGATIVE PERIOD 3/1/74 - 4/25/74
TITLE OF CASE Manager, Fox Theatre, 1618 Denison Parkway East Corning, New York; HERBERT NITKE;		REPORT MADE BY [REDACTED]	TYPED BY :djc
[REDACTED]		CHARACTER OF CASE ITOM	
GERALD DAMIANO: [REDACTED]		b6 b7C	
dba Countrywide Theatre Corp., and Yorkview Theatre Corp.			

7
REFERENCES: Report of SA [REDACTED] dated 2/26/74,
at Buffalo.
Albany nitel to Buffalo, dated 3/1/74.
San Francisco airtel to New York, dated 3/6/74. *Do*

- P -

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
						PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED <i>RHA/SW</i>		SPECIAL AGENT IN CHARGE		DO NOT WRITE IN SPACES BELOW		
COPIES MADE:				145-5324-5 REC-23		
2 - Bureau (145-5324)(RM) 1 - USA, Buffalo 2 - New York (145-3578)(RM) 2 - Newark (145-1290)(RM) 2 - Buffalo (145-444)				2 MAY 1 1974		
Dissemination Record of Attached Report				Notations		
Agency	1-AAG (RM)			[REDACTED]		
Request Recd.	J. Murphy			[REDACTED]		
Date Fwd.	1-T			[REDACTED]		
How Fwd.	ALF/US			[REDACTED]		
5 MAY 1974 5/6/74				[REDACTED]		

BU 145-444

LEADS

NEW YORK

AT NEW YORK, NEW YORK

If photograph of [] obtained by San Francisco Division, is identical to individual in question, submit to Newark Division in order that Newark may display photograph to [] Operations Manager, Meatball Production, Fort Lee, New Jersey, for identification purposes. b6 b7C

NEWARK

AT FORT LEE, NEW JERSEY

If photograph of [] is identified by New York Division, display photograph to JOSEPH HOEY, Operations Manager, Meatball Production, Fort Lee, New Jersey, for identification purposes.

BUFFALO

AT BUFFALO, NEW YORK

Will follow and report Grand Jury proceedings, Western District of New York, Buffalo, New York.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of: [REDACTED]

Date: 4/26/74

Office: Buffalo, New York

Field Office File #: 145-444

Bureau File #: 145-5324

Title: [REDACTED]

Manager, Fox Theatre,
1618 Denison Parkway East
Corning, New York;
HERBERT NITKE:~~STANDARD~~b6
b7C~~STANDARD~~

GERALD DAMIANO:

[REDACTED]
Doing business as
Countrywide Theatre Corporation,
and Yorkview Theatre Corporation

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: Records of Firlik Express, Inc., and Clark Film Services, Inc., Albany, New York, negative regarding movie entitled "The Devil In Miss Jones." On 4/25/74, AUSA, WDNY, Buffalo, New York, advised Grand Jury proceedings in above-captioned matter scheduled to commence at Buffalo during the first part of May, 1974.

- P -

Details: By communication, the Albany, New York, Office of the FBI advised that the following investigation had been conducted at Albany, New York:

BU 145-444

On March 1, 1974, [] Owner, Firlik Express, Inc., Albany, New York, advised that he took over Firlik Express, Inc., on February 24, 1973. His records did not reveal contents of film canisters, only the number of canisters containing the film and the identity of the theater to where the film is delivered. He further advised that his company did not service the Fox Theatre, Corning, New York.

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b7C

On March 1, 1974, [] Manager, Clark Film Services, Inc., Albany, New York, advised that on February 26, 1974, he was telephonically interviewed by two Special Agents from his home office in Camden, New Jersey, regarding the movie entitled "The Devil In Miss Jones." He advised all the information he knows concerning this matter was furnished to the Agents telephonically. [] stated that the Fox Theatre, Corning, New York, is an account handled by Clark Film Services, Buffalo, New York, but the records are negative concerning the movie entitled "The Devil In Miss Jones."

BU 145-444

On April 25, 1974, Assistant United States Attorney EDWARD J. WAGNER, Western District of New York, Buffalo, New York, advised that as of this date, he has been unable to schedule the movie entitled "The Devil In Miss Jones" on the Grand Jury calendar sitting at Buffalo, New York. Assistant United States Attorney WAGNER advised the Grand Jury presently sitting at Buffalo is scheduled to finish on April 26, 1974, and a new Grand Jury sworn in the first part of May, 1974. Assistant United States Attorney WAGNER advised that Grand Jury proceedings in the above-captioned matter would be scheduled for this new Grand Jury during the first part of May, 1974.

7/6
FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 6/27/74	INVESTIGATIVE PERIOD 4/17/74 - 6/21/74
TITLE OF CASE Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York; HERBERT NITKE;		REPORT MADE BY [REDACTED]	TYPED BY :pjc

CHARACTER OF CASE

ITOM

GERALD DAMIANO;

dba Countrywide Theatre Corp.,
and Yorkview Theatre Corp.

for REFERENCES: Report of SA **[REDACTED]**, dated 4/26/74,
at Buffalo.
Buffalo nitel to Newark, dated 5/10/74.
Newark airtel to Buffalo, dated 5/15/74.
Buffalo airtel to Newark, dated 5/30/74.
Newark airtel to Buffalo, dated 6/7/74.
Buffalo nitel to Newark, dated 6/18/74.

- P -

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

② - Bureau (145-5324) (RM)

1 - USA, Buffalo

2 - Newark (145-1290) (RM)

2 - Buffalo (145-444)

145-5324-6 REC-3

JUL 1 1974

1ST-110

Dissemination Record of Attached Report

Agency	1-AAG(CR/In)		
Request Recd.	J. Murphy		
Date Fwd.	17		
How Fwd.	go/US		
By	2/8/74		

Notations

DATA PROC

BU 145-444

LEADS

NEWARK

AT FORT LEE, NEW JERSEY

Contact [] Bonded Film Storage Company, 550 Main Street, and ascertain if the film entitled "The Devil In Miss Jones," presently in possession of the Buffalo Division, can be positively identified, either through records and/or observation, as being one of the ten prints stored at Bonded Film Storage Company as mentioned in FD-302 of [] on 6/6/74.

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BUFFALO

AT BUFFALO, NEW YORK

Will follow and report Grand Jury proceedings, Western District of New York, Buffalo, New York.

ADMINISTRATIVE:

It is noted that the investigative period of this report overlaps that of referenced report inasmuch as to incorporate investigation conducted by Newark Division on 4/17/74.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

1 - USA, Buffalo
(Attention: AUSA EDWARD J. WAGNER)

Report of:

Office: Buffalo, New York

Date:

6/27/74

Field Office File #:

145-444

Bureau File #: 145-5324

Title:

Manager, Fox Theatre,
1618 Denison Parkway East,
Corning, New York;
HERBERT NITKE;

b3 Rule 6(e)

b6

b7C

~~Character~~
~~XXXXX~~~~Synopsis~~
~~XXXXX~~

GERALD DAMIANO;

Doing business as
Countrywide Theatre Corporation,
and Yorkview Theatre Corporation

Character:

INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis:

stored at Bonded Film Storage Company. AUSA,
WDNY, Buffalo, advised Grand Jury proceedings
in above captioned matter will be scheduled to
be presented to Grand Jury in the near future.

- P -

Details:

BU 145-444

By communication, the Newark, New Jersey Office of the Federal Bureau of Investigation advised that the following investigation had been conducted at Fort Lee, New Jersey:

FEDERAL BUREAU OF INVESTIGATION

BU 145-444

1Date of transcription 4/29/74

[redacted] Officer Manager, Bonded Film Storage Company, 550 Main Street, Fort Lee, New Jersey, reviewed the records of the film "The Devil in Miss Jones", and the following is the only activity regarding prints of that film at this company:

[redacted] Meat Ball Distributors, New York, New York, picked up seven prints on March 26, 1973. He also picked up one print each on March 27 and March 29, 1973.

On March 19, 1973 and March 29, 1973, one print each was shipped by Novo Air Freight Corporation to Goldstone Films, care of R&S Shipping, 2344 Farrington Street, Dallas, Texas.

On March 27, 1973, two prints were shipped by Novo Air Freight Corporation to Galaxy Films, care of M&M Shipping, 308 South Church Street, Charlotte, North Carolina.

[redacted] stated that the above shipments were the only ones involving this film from Bonded. There were no shipments to Michigan. [redacted] assumes that the print of this film shown at the Krim Theater, in Michigan, was obtained directly from Meat Ball Distributors, or one of the theaters in Dallas or Charlotte.

[redacted] also stated that Novo Air Freight Corporation, Post Office Box 7037, Boulevard Station, Philadelphia, Pennsylvania, is a subsidiary of Novo Corporation, as is Bonded Film Storage Company.

He also pointed out that State Film Delivery Service, 560 Main Street, Fort Lee, New Jersey, only ships films in the New Jersey-New York Metropolitan area, and would therefore not be involved in any shipments to Michigan.

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b7c

Interviewed on 4/17/74 at Fort Lee, New Jersey File # Newark 145-1268

by SA [redacted] mmm

Date dictated 4/23/74

- 3 -

FEDERAL BUREAU OF INVESTIGATION

BU 145-444

1Date of transcription 5/15/74

[redacted] Officer Manager, Bonded Film Storage, Company, 550 Main Street, Fort Lee, New Jersey, stated that he regrets that he is unable to furnish information regarding the film, "The Devil in Miss Jones", because of instructions to him from the company's attorney. He stated that he would normally furnish this information, as he has in the past, but because the original print of this film was furnished to Bonded Film Storage Company by a lab, he could not give the name of the lab without a subpoena. He did state that this film is owned by Meat Ball Distributors, New York, New York.

b6
b7cInterviewed on 5/14/74 at Fort Lee, N.J. File # Newark 145-1290SA [redacted] pfs5/15/74

by _____ Date dictated _____

- 4 -

BU 145-444

The following investigation was conducted at
Rochester, New York, on May 15, 1974:

FEDERAL BUREAU OF INVESTIGATION

BU 145-444

Date of transcription 5/20/74

Mr. [] was contacted at [] and interviewed. Prior to the interview, [] was advised of the identity of SA [] and [] as Special Agents of the Federal Bureau of Investigation. [] was advised of his rights as reflected on a Waiver of Rights Form by SA [] which he read, stated he understood, declined to sign, but agreed to be interviewed. [] was advised that he was being interviewed concerning the operation and ownership of the Country Wide Theater Corporation.

[] advised that he was the District Manager for the Country Wide Theater Corporation and at the present time he did not desire to discuss this matter with interviewing Agents until he had an opportunity to discuss it with his attorney.

SA [] served [] with a subpoena which had been issued in the Western District of New York by the United States Attorney's Office which directed [] to []

b3 Rule 6(e)
b6
b7C

The following is a description obtained through observation:

Name	[]
Race	White
Male	Sex
Age	Approximately 5' 10"
Build	Slender
Hair	Brown
Eyes	Blue
Complexion	Medium
Occupation	Theater Manager
Place of Employment	Riviera Theater 1451 Lake Avenue Rochester, New York

Interviewed on 5/15/74 at Rochester, New York File # Buffalo 145-444

SAs [] (A) and []
by [] /LSS:cnw Date dictated 5/17/74

- 6 -

BU 145-444

On May 30, 1974, Assistant United States Attorney EDWARD J. WAGNER, Western District of New York, Buffalo, New York, authorized the issuance of a subpoena for pertinent records pertaining to the movie entitled "The Devil In Miss Jones," located at Bonded Film Storage Company, Fort Lee, New Jersey.

By communication, the Newark, New Jersey, Office of the Federal Bureau of Investigation advised that the following investigation had been conducted at Fort Lee, New Jersey:

FEDERAL BUREAU OF INVESTIGATION

BU 145-444

1Date of transcription 6/7/74

[redacted] Officer Manager, Bonded Film Storage Company, 550 Main Street, Fort Lee, New Jersey, advised that the following documents are the only ones in possession of this company that pertain to the receipt and delivery by this company regarding the film, "The Devil in Miss Jones".:

One delivery receipt dated March 29, 1973
One delivery receipt dated March 27, 1973
One delivery receipt dated March 26, 1974
One receiving notice dated March 14, 1973
One receiving notice dated March 19, 1973
One receiving notice dated October 19, 1973

[redacted] pointed out that the receiving notice dated March 14, 1973, shows that eight prints of "The Devil" were received by Bonded from Radiant Laboratory, 321 West 44th Street, New York, New York, and since this was the first films received from Meatball Productions, Inc., Post Office Box 289, Harrison, New York, an account was opened in that name. These prints were designated #1 through #8 by Bonded. These prints were picked up at Radiant Laboratory by a Bonded truck.

b6
b7C

Subsequently, print #9 was picked up by Bonded from Marvin Films, 1585 Broadway, New York, New York, on March 19, 1973, and print #10 was picked up by Bonded from the Laconia Theater, White Plains Road, and 224th Street, Bronx, New York, on October 19, 1973. These ten prints are all that Bonded has ever received of this film.

The delivery receipt dated March 26, 1973, shows that [redacted] of Meatball Productions picked up at Bonded seven prints numbered 3 through 9.

On March 27, 1973, [redacted] Meatball Productions, picked up from Bonded print #2.

On March 29, 1973, [redacted] picked up print #1 at Bonded.

Print #10 remains in storage at Bonded.

Interviewed on June 6, 1974 at Fort Lee, New Jersey File # Newark 145-1290

by SA [redacted] pfs

Date dictated June 6, 1974

- 8 -

BU 145-444

On June 21, 1974, Assistant United States Attorney EDWARD J. WAGNER, supra, advised that Grand Jury proceedings in above-captioned matter would be scheduled for the Grand Jury sitting Buffalo, New York, in the very near future.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 8/29/74	INVESTIGATIVE PERIOD 6/20 - 8/23/74
TITLE OF CASE Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York; HERBERT NITKE:		REPORT MADE BY [REDACTED]	TYPED BY :kms
GERALD DAMIANO:		CHARACTER OF CASE ITOM	
dba Countrywide Theatre Corp., and Yorkview Theatre Corp.			

REFERENCES: Report of SA **[REDACTED]** dated 6/27/74,
at Buffalo.
Newark airtel to Buffalo, dated 6/20/74. **20**

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			PENDING OVER ONE YEAR: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED [Signature]					SPECIAL AGENT IN CHARGE		
COPIES MADE:					DO NOT WRITE IN SPACES BELOW		
2 - Bureau (145-5325) (RM)					145-5324-7		
1 - USA, Buffalo (ATTN: EDWARD J. WAGNER)					REC-25		
2 - Buffalo (145-444)					EX-105		
Dissemination Record of Attached Report					Notations		
Agency	ICC AAG (2)				SEP 3 19 74		
Request Recd.	FF				DATA PROC		
Date Fwd.							
How Fwd.	9-10-74						
By	JEO/26						

20 SEP 11 1974

COVER PAGE

BU 145-444

LEADS

BUFFALO

AT BUFFALO, NEW YORK

Will follow and report grand jury proceedings,
WDNY, Buffalo, New York.

ADMINISTRATIVE

It is noted that the investigative period of this
report overlaps that of re report inasmuch as to incorporate
investigation conducted by Newark Division on 6/20/74.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

1 - USA, Buffalo
(ATTN: AUSA EDWARD J. WAGNER)

Report of:

[REDACTED]

Office: Buffalo, New York

Date:

8/29/74

Field Office File #:

145-444

Bureau File #: 145-5324

Title:

[REDACTED]

Manager, Fox Theatre,
1618 Denison Parkway East,
Corning, New York;
HERBERT NITKE;b3 Rule 6(e)
b6
b7C~~XXXXXX~~

[REDACTED]

~~XXXXXX~~

GERALD DAMIANO;

[REDACTED]

Doing business as
Countrywide Theatre Corporation,
and Yorkview Theatre Corporation

Character:

INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis:

[REDACTED] Bonded Film Storage Co., Ft.
Lee, New Jersey, interviewed and furnished
information re labels placed on film canisters
at Bonded Film Storage Co., Ft. Lee, New Jersey
for identification purposes. Film canister in
possession of FBI, Buffalo, New York, examined
by BuAgent and no labels described by [REDACTED]
were located. On 8/23/74, AUSA, WDNY, Buffalo,
New York, advised that [REDACTED] a district

[REDACTED]

- P -

Details:

BU 145-444

By communication dated June 20, 1974, the Newark Office of the FBI advised that the following investigation had been conducted at Ft. Lee, New Jersey:

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 6/20/74

[redacted] Office Manager, Bonded Film Storage Company, 550 Main Street, Fort Lee, New Jersey, advised that the only notation put on by Bonded are on the outside of the canisters that contain the film reels. No notations are put on the reels themselves.

The canister would normally have a blue and white color Bonded Shipping Label, which in this instance, would have the notations "Meat", meaning Meatball Distributors, followed by the print number 1 through 10. The other side of the canister would have a green colored Bonded Storage Label that would also have the notation "Meat", and the numbers 1 through 10.

Otherwise, it is not possible to identify an individual reel or reels by either observation or records.

b6
b7C

Interviewed on 6/20/74 at Fort Lee, New Jersey File # Newark 145-1290

by SA [redacted] /mt Date dictated 6/20/74

BU 145-444

-1-

The following investigation was conducted at Buffalo, New York, on July 2, 1974:

Four rolls of film entitled "The Devil In Miss Jones" and one film canister in the possession of the Buffalo Office of the Federal Bureau of Investigation were examined by SA [redacted] and no labels described by [redacted], Bonded Film Storage Co., Ft. Lee, New Jersey, were located.

b3 Rule 6(e)
b6
b7C

On August 23, 1974, Assistant United States Attorney EDWARD J. WAGNER, Western District of New York, Buffalo, New York, advised that [redacted] a district

[redacted]

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 12/20/74	INVESTIGATIVE PERIOD 11/21 - 12/17/74
TITLE OF CASE Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York; ET AL		REPORT MADE BY [REDACTED]	TYPED BY :bar
		CHARACTER OF CASE ITOM	

b6
b7C

REFERENCE: Report of SA **[REDACTED]** dated
10/31/74 at Buffalo. ✓

-P-

LEADBUFFALOAT BUFFALO, NEW YORK

Will follow and report Grand Jury proceedings in
above captioned matter. *jm*

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

COPIES MADE:

DO NOT WRITE IN SPACES BELOW

- 5324*
 ② - Bureau (145-5325)
 1 - USA, Buffalo
 (Attn: AUSA WAGNER)
 2 - Buffalo (145-444)

145-5324-8 REC-50

DEC 27 1974

Dissemination Record of Attached Report				
Agency	1-AAG			
Request Recd.	CD			
Date Fwd.	Gen. Reg. Sec.			
How Fwd.	On: 1/6/75			
By	By: SEC/elo			

Notations

DATA PROC

-A*-
COVER PAGE

JAN 20 1975

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo
(Attention: AUSA EDWARD J. WAGNER)

Report of: [REDACTED] Office: Buffalo, New York
Date: 12/20/74

Field Office File #: 145-444 Bureau File #: 145-5324

Title: [REDACTED]
Manager, Fox Theatre,
1618 Denison Parkway East,
Corning, New York;
HERBERT NITKE:

~~Character~~

~~Synopsis~~

[REDACTED]
GERALD DAMIANO:

[REDACTED]
Doing business as
Countrywide Theatre Corporation
and Yorkview Theatre Corporation

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: On 12/17/74, AUSA, WDNY, Buffalo, N. Y.,
advised that as of this date he has been
unable to schedule this particular case before
the Grand Jury sitting in the WDNY, Buffalo.

-P-

Details: The following investigation was con-
ducted at Buffalo, New York, on the indicated
dates:

On November 21, 1974, Assistant U. S.
Attorney (AUSA) EDWARD J. WAGNER, Western Dis-
trict of New York (WDNY), advised that as of
this date he has been unable to schedule this

BU 145-444

particular matter for presentation to the Grand Jury (GJ) sitting in the WDNY, Buffalo.

On December 17, 1974, AUSA WAGNER advised that he has still been unable to schedule this particular matter before the GJ but indicated that it would be scheduled in the near future.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 10/31/74	INVESTIGATIVE PERIOD 9/11-10/31/74
TITLE OF CASE Manager, Fox Theatre, 1618 Denison Parkway East, Corning, New York; HERBERT NITKE;		REPORT MADE BY [REDACTED]	TYPED BY :ph
GERALD DAMIANO;		CHARACTER OF CASE ITOM	

GERALD DAMIANO;

**dba Countrywide Theatre
Corp., and
Yorkview Theatre Corp.**

REFERENCE: Report of SA **[REDACTED]**, dated 8/29/74

- P -

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED [Signature] SPECIAL AGENT IN CHARGE						DO NOT WRITE IN SPACES BELOW	
COPIES MADE: (2) - Bureau (145-5325) 1 - USA, Buffalo 2 - Buffalo (145-444)						REC-46 EX-110 NOV 4 1974	
Dissemination Record of Attached Report						Notations	
Agency	100 AAG (2)					PROC	
Request Recd.							
Date Fwd.	11/7/74						
How Fwd.							
By	6015 NOV 8 1974						

COVER PAGE

BU 145-444

LEADS

BUFFALO

AT BUFFALO, NEW YORK

Will follow and report grand jury proceedings in
above captioned matter.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

1 - USA, Buffalo
(ATTN: AUSA EDWARD J. WAGNER)

Report of:

Office: Buffalo, New York

Date:

10/31/74

Field Office File #:

145-444

Bureau File #: 145-5324

b6
b7C

Title:

[Redacted]
Manager, Fox Theatre,
1618 Denison Parkway East,
Corning, New York;
HERBERT NITKE:~~XXXXX~~~~XXXXX~~[Redacted]
GERALD DAMIANO:[Redacted]
Doing business as
Countrywide Theatre Corporation,
and Yorkview Theatre Corporation

Character:

INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis:

On 10/31/74, AUSA, WDNY, Buffalo, N.Y., advised that as of this date he has been unable to schedule this particular case before the grand jury sitting WDNY, Buffalo, N.Y.

- P -

Details:

The following investigation was conducted at Buffalo, New York:

On September 11, 1974, Assistant United States Attorney (AUSA) EDWARD J. WAGNER, Western District of New York (WDNY), Buffalo, New York, advised as of this date, he has been unable to schedule this particular matter for presentation to the grand jury sitting WDNY, Buffalo, New York.

On October 31, 1974, AUSA WAGNER, WDNY, Buffalo, New York, advised that he has still been unable to schedule this particular matter before the grand jury but indicated that it would be scheduled in the near future.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director's Sec'y	_____

NR006 MM CODE

9:10PM NITEL JANUARY 6, 1975 JRS
TO DIRECTOR

ATTENTION: OFFICE OF LEGAL COUNSEL

FROM MIAMI (145-1171) 3 PAGES

GERARD DAMIANO, AKA. ET AL. ITOM. OO: MIAMI.
[REDACTED] AKA. ITOM. OO: MIAMI
(MM FILE 145-671).

b6
b7C

RE MIAMI TELETYPE TO BUREAU, JANUARY 2, 1975, AND
BUREAU TEL TO MIAMI, JANUARY 4, 1975.
ON JANUARY 6, 1975, SA [REDACTED] MIAMI, DISCUSSED
FACTS OF CAPTIONED MATTER WITH AUSA LAWRENCE B. CRAIG, III,
MIAMI, INCLUDING FULL EXTENT OF INVOLVEMENT OF MIAMI INFORMANT;
INFORMANT HAVING BEEN A MERE WITNESS-INVITEE TO COMMISSION
OF CRIMES BY [REDACTED] AND VARIOUS ACTORS
AND ACTRESSES, ON MARCH 13, 1974, ABOARD YACHT "SEA HORSE,"
AT DADE COUNTY, FLA.

AUSA CRAIG WAS ALSO ADVISED THAT INFORMANT IS SCHEDULED
TO TESTIFY AS LOCAL PROSECUTION WITNESS AT TRIAL, BEGINNING
FEBRUARY 3, 1975, BUT THAT PROSECUTOR IS NOT AWARE OF
STATUS OF INFORMANT AS FBI INFORMANT, WHO FURNISHED
END OF PAGE ONE

EX 104

REC-77

145-5324

RECEIVED
FBI
JAN 9 1975

JAN 9 1975

JAN 10 1975

JAN 14 1975

UNRECORDED COPY FILED IN 145-4706-1

6-7w

57 JAN 10 1975
233

PAGE TWO

INFORMATION UPON WHICH BOTH FBI AND LOCAL INVESTIGATION WAS PREDICATED. LOCAL PROSECUTOR DEVELOPED INFORMANT AS A WITNESS THROUGH SUBPOENAS TO AND DEPOSITIONS BY OWNERS OF "SEA HORSE."

AUSA CRAIG CONTACTED DEPARTMENTAL ATTORNEY HARRY DAMELIN, WASHINGTON, D.C., JANUARY 6, 1975, AS WELL AS ASSISTANT PUBLIC DEFENDER, DADE COUNTY, THOMAS J. MORGAN, WHO WILL REPRESENT [REDACTED] MORGAN WAS ASSURED BY AUSA CRAIG THAT SA [REDACTED] AND FBI, MIAMI, POSSESSES NO EXCULPATORY INFORMATION RE [REDACTED], WHICH WAS ONLY GUARANTEE MORGAN REQUESTED OF CRAIG.

ON JANUARY 6, 1975, AUSA CRAIG SWORE TO AFFIDAVIT IN LOCAL CASE AGAINST [REDACTED] TO EFFECT THAT IF SA [REDACTED] WERE TO APPEAR IN ACCORDANCE WITH THE SUBPOENA DUCES TECUM FOR DEPOSITION, AND OBJECTION AND REFUSAL TO TURN

OVER THOSE DOCUMENTS REQUESTED WOULD BE ENTERED ON THE RECORD.

AUSA CRAIG DEPOSED THAT SA [REDACTED] WOULD NOT BE ALLOWED TO PRODUCE THE RECORDS BASED ON [REDACTED] V. [REDACTED] ET AL.

340 U.S. 462; CATES V. LTV AEROSPACE CORPORATION, ET AL,

480 FEDERAL 2D 620; NORTH CAROLINA V. CARR, 386 FEDERAL 2D 129, AND APPLICABLE SECTION OF CODE OF FEDERAL REGULATIONS. AFFIDAVIT OF AUSA CRAIG WAS FILED WITH CLERK OF
END OF PAGE TWO

b6
b7c

PAGE THREE

CRIMINAL COURT, DADE COUNTY, FLA., JANUARY 6, 1975, AND A COPY FURNISHED ASSISTANT PUBLIC DEFENDER, MORGAN, TOGETHER WITH ONE COPY OF A 1972 PHOTO OF [REDACTED] THE ORIGINAL OF WHICH HAS BEEN USED BY MIAMI AGENTS AND LOCAL PROSECUTOR FOR IDENTIFICATION PURPOSES.

ACCORDINGLY, SA [REDACTED] WILL NOT HAVE TO COMPLY WITH SUBPOENA DUCES TECUM AT 10 AM, JANUARY 7, 1975, BY AGREEMENT BETWEEN MORGAN AND AUSA CRAIG.

LOCAL PROSECUTION WILL BE FOLLOWED.

END

BEH FBIHQ ACK FOR ONE AND LRXX CLR

b6
b7c

CC - Leg Coun 512

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 2/7/75	INVESTIGATIVE PERIOD 1/27 - 29/75
TITLE OF CASE Manager Fox Theatre, 1618 Denison Parkway East, Corning, New York; ET AL		REPORT MADE BY [REDACTED]	TYPED BY ;cdm
		CHARACTER OF CASE ITOM	

b6
b7C

REFERENCE: Report of SA **[REDACTED]** dated 12/20/74.

- C -

ADMINISTRATIVE

This case is being closed at this time and Buffalo will close case administratively when evidence seized has been returned.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 2 - Bureau (145-5324)
1 - USA, Buffalo (Attention : AUSA WAGNER)
2 - Buffalo (145-444)

145-5324-11 REC-7

5 FEB 10 1975

EXT-10

Dissemination Record of Attached Report					Notations DATA PROC
Agency:	1-AAG,				
Request Recd.	CD,				
Date Fwd.	Gen. Reg. Sec.				
How Fwd.	On: 2/14/75 By: [Signature]				

56 FEB 18 1975

- A* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo (Attention: AUSA WAGNER)

Report of: [REDACTED]

Office: Buffalo, New York

Date: 2/7/75

Field Office File #: 145-444

Bureau File #: 145-5324

b6
b7c

Title: [REDACTED], Manager

Fox Theatre,
1618 Denison Parkway East,
Corning, New York

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: By letter dated 1/27/75, AUSA, WDNY, advised that no prosecution will be sought in this matter.

- C -

Details: On January 28, 1975, the following letter was received by the Buffalo Office:

United States Department of Justice

ADDRESS REPLY TO
UNITED STATES ATTORNEY
ATTENTION OF
ASSISTANT SHOWN BELOW
Edward J. Wagner

UNITED STATES ATTORNEY
WESTERN DISTRICT OF NEW YORK
UNITED STATES COURT HOUSE
BUFFALO, NEW YORK 14202

January 27, 1975

OUR REFERENCE
EJW:gmc
73-0928 CR.

Special Agent in Charge
Federal Bureau of Investigation
111 West Huron Street
Buffalo, New York 14202

Attention:
Special Agent

Re: United States v. and
Fox Theatre
Your Ref: 145-444

b6
b7C

Dear Sir:

I have carefully reviewed all reports provided to our office concerning a possible violation of Title 18, U.S.C. §§ 1462, 1465 and 371, involving the film entitled "The Devil in Miss Jones". My examination of the evidence available leads me to the conclusion that it would be unwise for this office to attempt a prosecution under the above sections.

My opinion is based on the following reasons:

1. There is no evidence that any violation of Title 18, U.S.C., § 1462 has occurred. The only use of an interstate carrier appears to be in transporting the film from Rochester, New York to Corning, New York.

2. If there is a violation of § 1465, it appears to have been committed solely by one due to his transporting the film from Fort Lee, New Jersey to Harrison, New York. Yet there appears to be insufficient evidence to prove that ever in fact transported a copy of this film into New York State from New Jersey. There is likewise serious gaps in the evidence needed to show the film in our possession is the same film originating at Fort Lee, New Jersey. Subpoenas issued for the records for several possible storage locations for this film have all proved negative with regard to any evidence this film was ever present therein. Furthermore, the interests of

b6
b7C



the United States Government in controlling the flow of obscene material do not seem well served by an isolated prosecution of [redacted]. And in any event, jurisdiction for this offense would not appear to lie in the Western District of New York.

3. Finally, a conspiracy prosecution (18 U.S.C. §§371 and 1465), perhaps the most viable approach to this type of matter, presents serious evidentiary and jurisdictional problems. The apparent objects of any prosecution would most likely be the owners and/or producers of this film, namely Herbert Nitke, [redacted] and to a lesser extent (from my discussion with you) [redacted] and [redacted]. Those possible conspirators at the other end of the film's journey, [redacted] and [redacted] must certainly be considered at best tenuously attached to the above-named individuals. In my opinion we simply do not have the evidence to prove such a conspiracy involving all these individuals.


b6
b7C

There is a possibility that a conspiracy prosecution might be more successful if limited to the actual owners (and possibly including the involvement of [redacted] and [redacted] in Fort Lee, New Jersey, and [redacted]). Again it appears that jurisdiction for this offense is elsewhere than in the Western District of New York.

It should be kept in mind that my conclusion is not to be construed as a criticism of the FBI investigation of this matter. In fact, the investigation appears to have been as thorough and complete as reasonably possible. The problems arise from the very nature of the transactions involved, and the fact that criminal activity, as defined by the above-referenced statutes, seems to have dissipated from an evidentiary standpoint as the film made its way to the Western District of New York.

Very truly yours,

RICHARD J. ARCARA
United States Attorney

By: 
EDWARD J. WAGNER
Assistant U. S. Attorney

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

WXA

AUG 02 1974

TELETYPE

NR001 NY PLAIN

1:15 PM URGENT 8/2/74 PJS
TO DIRECTOR

BUTTE

DETROIT

HONOLULU VIA WASHINGTON

MINNEAPOLIS

NEWARK

SEATTLE

FROM NEW YORK (145-NEW) 6P

MEMORIES WITHIN MISS AGGIE

MOTION PICTURE FILM

GERARD DAMIANO - DIRECTOR

[REDACTED] - COURIER;

ITOM

(OO: NEW YORK)

NEW YORK OFFICE HAS DETERMINED THROUGH INVESTIGATION

SUBJECT [REDACTED] WILL TRAVEL FROM QUEENS, NEW YORK, ON MONDAY,

AUGUST 5, 1974 AND TRAVEL TO RECEIVING OFFICES DELIVERING

COPIES OF CAPTIONED FILM WHICH HE WILL SELL TO VARIOUS

PORNOGRAPHIC THEATER REPRESENTATIVES FOR APPROXIMATELY

TWENTY FIVE THOUSAND DOLLARS PER COPY.

TELETYPED TO:
H 157 AUG 10 1974

MCT-26

EX-111

REC 17

145-5049-36

145-5494-1

AUG 5 1974

6-4

NY 145-NEW

PAGE TWO

THE FOLLOWING IS A DESCRIPTION OF THIS FILM
AS IT APPEARS IN LATEST COPY OF SCREW MAGAZINE:

"MEMORIES WITHIN MISS AGGIE IS THE NEW GERRY
DAMIANO MOVIE AND IT'S BY FAR HIS BEST YET. SENSATIONAL
IS THE ONLY WORD TO DESCRIBE HOW DAMIANO HAS TAKEN THE
PORN FIELD GENRE AND FUSE IT WITH THE MORE SERIOUS ASPECTS
OF ART FILMS TO PRODUCE A MOVING, INTENSE TURN-ON
FILM. ALTHOUGH ONLY ABOUT 30 PERCENT OF THE FILM'S
FOOTAGE IS ACTUALLY DEVOTED TO SEX, THIS IN NO WAY
DETRACTS FROM ITS SEXUAL APPEAL AND , IN FACT, WORKS TO
HEIGHTEN VIEWER RESPONSE TO WHAT HARD-CORE ACTION THERE
IS. INDEED, THE REDUCED CONCENTRATION OF SEX FOOTAGE HAS
ALLOWED DAMIANO TO EMPHASIZE THE ACTING AND CHARACTER
DEVELOPMENT AND TO INTEGRATE THE SEX ACTION INTO THE STORY
IN A MEANINGFUL WAY.

FEATURING SUCH PORNO STALWARTS AS KIM POPE,
DARBY LLOYD RAINES, HARRY REEMS AND MARY STEWART, ALL OF
WHOM TURN IN FINE ACTING PERFORMANCES, THE STORY IS
BASICALLY ABOUT A CRAZY OLD WOMAN WHO TRIES TO REMEMBER

NY 145-NEW

PAGE THREE

HER PAST. BUT THERE IS SOMETHING IN HER PAST THAT PREVENTS HER FROM REMEMBERING WHAT IS REAL AND THE WOMAN, PLAYED BY DEBORAH ASHIRE, CONSTANTLY LAPSES IN TO FANTASY. UNDER THE SKILLFUL DIRECTION OF DAMIANO, EACH FLASH-BACK SEGMENT BUILDS ON THE NEXT TO LEAD US TO THE MOVIE'S SHATTERING, HIGH IMPACT CONCLUSION. THERE HAS NEVER BEEN A PORNO MOVIE LIKE THIS BEFORE, AND WHATEVER YOU DO, YOU WON'T WANT TO MISS IT. PLAYING AT THE WORLD 49TH ST., OFF 7TH AVE."

RECEIVING OFFICES ARE REMINDED THAT GERARD DAMIANO, AS THE DIRECTOR OF THE FILMS DEEP THROAT AND DEVIL IN MISS JONES, HAS ATTAINED FAME AS THE NUMBER ONE PERSON IN THE PRODUCTION OF CONTEMPORARY PORNOGRAPHIC FILMS. PREVIOUS INVESTIGATION BY THE FBI HAS SHOWN A CONNECTION WITH THE LCN COLUMBO FAMILY IN NEW YORK. IT IS, THEREFORE, ANTICIPATED THAT THE^E TRANSPORTATION OF THESE FILMS AND THEIR SUBSEQUENT RECEIPT COULD PROVIDE VALUABLE INFORMATION REGARDING CURRENT ORGANIZED CRIME ACTIVITIES IN THESE MATTERS.

AT 5:00 AM, AUGUST 5, 1974, WILL LEAVE

b6
b7C

NY 145-NEW

PAGE FOUR

HIS RESIDENCE LOCATED AT 98-20 62ND DRIVE, REGO PARK,
QUEENS, NEW YORK, IN HIS 1971 GREEN DODGE DART, TWO-DOOR,
BEARING 1974 NEW YORK LICENSE 968 YRU, AND TRAVEL TO
NEWARK AIRPORT'S UNITED AIRLINES TERMINAL. HE WILL
EITHER HAVE THE FILM REELS WITH HIM OR MAY PICK THEM UP
EN ROUTE. FIRST FLIGHT DEPARTS NEWARK 7:00 AM, AUGUST 5,
1974.

THE FOLLOWING IS [REDACTED] FLIGHT ITINERARY:

DATE	CITY	CARRIER	FLIGHT	DESTINATION
8/5	NEWARK	UNITED	249	DETROIT
8/5	DETROIT	NORTHWEST	515	MINNEAPOLIS
8/5	MINNEAPOLIS	NORTHWEST	109	MISSOULA, MONTANA
8/6	MISSOULA	NORTHWEST	603	SEATTLE
8/6	SEATTLE	NORTHWEST	87	HONOLULU

SUBJECT WILL STAY IN HONOLULU UNTIL 9:30 PM,
AUGUST 7, 1974 WHEN HE WILL DEPART VIA FIGHT 992 NON-STOP
TO NEWARK ARRIVING 2:35 PM, AUGUST 8, 1974.

[REDACTED] EXPECTS TO PICK UP \$23,000, AT HONOLULU
AIRPORT AND WILL THEN TRAVEL TO AN UNKNOWN BANK. IT IS

b6
b7c

NY 145-NEW

PAGE FIVE

POSSIBLE THAT HE MAY BE IN POSSESSION OF AN EXCESS OF
ONE HUNDRED THOUSAND DOLLARS AT THIS TIME.

THE FOLLOWING IS A DESCRIPTION OF THE COURIER:

NAME	<input type="text"/>
RACE	WHITE
SEX	MALE
HEIGHT	FIVE FEET, TWO INCHES
WEIGHT	130 POUNDS
HAIR	BROWN
EYES	BROWN
DATE OF BIRTH	<input type="text"/>
PLACE OF BIRTH	QUEENS, NEW YORK

b6
b7C

NY 145-NEW

PAGE SIX

NEW YORK ON THE MORNING OF FRIDAY , AUGUST 2, 1974, WILL REVIEW CAPTIONED FILM FOR ITS PORNOGRAPHIC CONTENT AND IMMEDIATELY SUTEL RESULTS.

RECEIVING OFFICES CONSIDER PRELIMINARY CONTACT WITH USA THIS DATE TO DISCUSS MERITS OF PROSECUTION IN YOUR TERRITORIES. SUTEL NEW YORK WITH RESULTS.

RECEIVING OFFICES CONDUCT DISCREET PHOTO FISUR. BE ALERT FOR COURIER CONTACTS AND TRANSFER OF FILMS AND MONEY. SUTEL NEW YORK RESULTS OF TRAVEL, ARRIVAL, DEPARTURES, ETCETERA, YOUR CITIES.

PHOTO WILL BE MAILED TO HONOLULU.

END

PLEASE RETURN TO TALK FOR FACSIMILE.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 003 HN CODE

5:25 PM HST URGENT AUGUST 5, 1974 RLA

AUG 05 1974

TELETYPE

TO DIRECTOR

NEW YORK ///VIA FBI HQ///

FROM HONOLULU (145-189) (P) 1P

Assoc. Dir.	_____
Dep. Asst. Dir.:	_____
Adm.	_____
Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM, GERARD

DAMIANO - DIRECTOR; [REDACTED] - COURIER; ITOM;

OO: NEW YORK.

RE NEW YORK TELETYPE TO BUREAU AND HONOLULU DATED
AUGUST 2, 1974.

FOR INFO BUREAU, AUSA WILLIAM C. MC CORRISTON,
HONOLULU, AUTHORIZED FILING OF SEARCH WARRANT AND
ARREST WARRANT ON AUGUST 6, 1974 FOR ARREST OF SUBJECT
[REDACTED] UPON [REDACTED] ARRIVAL IN HONOLULU AUGUST 6, 1974.

[REDACTED] RECEIVED ORAL APPROVAL FOR PROSECUTION FROM
U. S. D. J. ON AM OF AUGUST 5, 1974.

HONOLULU WILL KEEP BUREAU ADVISED RE DEVELOPMENTS.

END

HO

REC-41

145-5494-2

TELETYPED TO:

183

6-4

WXA

NR 003 NK PLAIN

10:30AM URGENT AUGUST 5, 1974 CXD

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TO DIRECTOR

BUTTE

DETROIT

HONOLULU (VIA WASHINGTON)

MINNEAPOLIS

NEW YORK

SEATTLE

FROM NEWARK (145-1326) (P) 2P

AUG 05 1974

TELETYPE

LAC

7
3
6

Assoc. Dir. _____
Dep. A.D. Adm. _____
Dep. A.D. Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
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Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM,

GERARD DAMIANO-DIRECTOR, [REDACTED] -COURIER; ITOM, 00: NY.

b6
b7C

RE NEW YORK TELETYPE TO BUREAU AUGUST 2, 1974.

THIS DATE CAPTIONED COURIER DEPARTED ON UNITED FLIGHT 249
FROM NEWARK AT 7:00 AM ROUTE DETROIT WEARING YELLOW T-SHIRT,
BLUE JEANS AND WHITE SNEAKERS. DESCRIPTION IN RETEL FITS
AND [REDACTED] ALSO WEARS MUSTACHE.

[REDACTED] CHECKED THE FOLLOWING BAGGAGE:

TO DETROIT: TWO CARDBOARD BOXES WITH BAGGAGE CLAIM
TICKETS NUMBERED 304068 AND 304069.

REC-41

145-5494-38
5049-38
145-5494-3

21 AUG 6 1974

TO MISSOULA, MONTANA: TWO CARDBOARD BOXES WITH BAGGAGE
CLAIM TICKETS NUMBERED 003993 AND 003994, FILM BOX WITH
NUMBER 003996, AND A SUITCASE WITH NUMBER 003995.

END PAGE ONE
TELETYPE TO:

6- [Signature]

PAGE TWO

NK 145-1326

[REDACTED] ITINERARY CHECKED WITH UNITED, NEWARK, REFLECTS IDENTICAL TO THAT IN RETEL EXCEPT HE RETURNS AUGUST 7, 1974, VIA UNITED NR 992, ARRIVING NEWARK AT 11:40 AM, WITH STOPOVER IN CHICAGO.

b6
b7C

[REDACTED] LEFT CONTACT TELEPHONE NUMBERS [REDACTED] AND

[REDACTED] (C/O [REDACTED]).

ABOVE FURNISHED DETROIT BY PHONE.

END

#

JTG FBIHQ CLR

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 05 1974

TELETYPE

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

NR 003 DE PLAINTEXT

3:40 URGENT AUGUST 5, 1974 ETA

TO DIRECTOR

BUTTE

HONOLULU VIA WASHINGTON

MINNEAPOLIS

NEWARK

NEW YORK

SEATTLE

ALL OFFICES VIA WASHINGTON

FROM DETROIT (145-805) (P)

MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM
GERARD DAMIANO - DIRECTOR, [REDACTED] - COURIER

ITOM, OO: NEW YORK

CH 45

b6
b7C

RE NEW YORK TELETYPE TO THE BUREAU, AUGUST 2, 1974.

SUBJECT, [REDACTED], OBSERVED BY BUREAU AGENTS THIS DATE

AT 8:31 AM, ARRIVING UNITED AIRLINES (UAL), FLIGHT NUMBER
249 AT DETROIT METROPOLITAN AIRPORT. [REDACTED] DESCRIBED AS A
W/M, 130 LBS., 5'2", DARK HAIR, MUSTACHE, WEARING YELLOW KNIT

PULLOVER SHIRT, BLUE JEANS AND WHITE STRIPED TENNIS SHOES.

[REDACTED] DEPARTED AIRCRAFT CARRYING ONE BROWN AND ONE GRAY BRIEFCASE.

[REDACTED] OVERHEARD BY BUREAU AGENTS ATTEMPTING TELEPHONIC

CONTACT WITH GAIL FILM DISTRIBUTORS, 16300 WEST NINE MILE
ROAD, SOUTHFIELD, MICHIGAN, THROUGH THE INFORMATION OPERATOR
AT TELEPHONE BOOTH LOCATED IN THE AREA OF UAL BAGGAGE CLAIM.

END PAGE ONE

TELETYPED TO:

58 AUG 14 1974
F-67

HN

6-JW

PAGE TWO

DE 145-805

[] UNABLE TO MAKE TELEPHONIC CONTACT. IMMEDIATELY THEREAFTER [] WAS OBSERVED CONTACTING AN UNIDENTIFIED W/M, 6'2", 190 LBS., BLACK HAIR, AND MUSTACHE AT UAL BAGGAGE CLAIM AREA. [] TURNED OVER TWO CARDBOARD CARTONS EACH APPROXIMATELY THREE FEET BY TWO FEET BY SIX INCHES TO THIS INDIVIDUAL AFTER OBTAINING THEM FROM UAL BAGGAGE CLAIM. UNIDENTIFIED W/M AND [] EXITED TERMINAL AND WERE OBSERVED PLACING THESE TWO CARTONS IN THE TRUNK OF A BLACK OVER BLUE PONTIAC CATALINA BEARING 1974 MICHIGAN LICENSE NUMBER [] SUBSEQUENTLY DETERMINED TO BE REGISTERED TO A [] [] OAK PARK, MICHIGAN.

b6
b7C

NO EXCHANGE OF MONEY OBSERVED. PHOTOGRAPHS TAKEN DURING FISUR.

ABOVE UNIDENTIFIED MALE FOLLOWED TO 16300 WEST NINE MILE ROAD, SOUTHFIELD, MICHIGAN, AND WAS OBSERVED CARRYING TWO CARTONS INTO THIS LOCATION.

[] OBSERVED BOARDING NORTHWEST ORIENT AIRLINES
END PAGE TWO

PAGE THREE

DE 145-805

FLIGHT 515 AT APPROXIMATELY 9:43 AM THIS DATE FOR DEPARTURE
TO MINNEAPOLIS. FLIGHT SCHEDULED TO ARRIVE MINNEAPOLIS
10:25 AM, MINNEAPOLIS TIME. [] BOARDED AIRCRAFT CARRYING
ABOVE DESCRIBED GRAY AND BROWN BRIEFCASES. NO LUGGAGE WAS
CHECKED ABOARD AIRCRAFT AS BAGGAGE BY LERNER.

[] DOING BUSINESS AS GAIL FILM DISTRIBUTORS,
IS SUBJECT OF DEFILE 145-751.

b6
b7C

MINNEAPOLIS DIVISION TELEPHONICALLY ADVISED THIS DATE
OF [] DESCRIPTION AND DEPARTURE.

ON INSTANT DATE, CONTENT OF FILM "MEMORIES WITHIN MISS
AGGIE" WAS DISCUSSED WITH AUSA WILLIAM IBERSHOFF, DETROIT, WHO
STATED HE WOULD DECLINE PROSECUTION OF THIS FILM DUE TO SHORT
DURATIONS OF PORNOGRAPHIC SCENES CONTAINED THEREIN.

FD 302 FOLLOWS.

END

FOR ANY CORRECTIONS AND/OR QUESTIONS CONTACT THE DETROIT OFFICE
END

#

AMW FBIHQ

R-RELAY

CLR

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 06 1974

TELETYPE

Assoc. Dir. _____
Dep.-A.D. _____
Dep.-A.D. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

VNR 001 BT PLAIN

P11:50 AM URGENT AUGUST 6. 1974 LKS

TO DIRECTOR

DETROIT (145-805)

HONOLULU (VIA WASHINGTON) (145-189)

MINNEAPOLIS

NEWARK (145-1326)

NEW YORK

SEATTLE

FROM BUTTE (145-195) (P) 3P

① MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM, GERARD

② DAMIANO -DIRECTOR, [REDACTED] - COURIER, ITOM, OO NEW YORK.

b6
b7C

RE NEW YORK TEL TO BUREAU, AUG. 2, 1974; NEW YORK TEL TO BUTTE, AUG. 3, 1974; NEWARK TEL TO BUREAU, AUG. 5, 1974; AND DETROIT TEL TO BUREAU, AUG. 5, 1974; AND BUTTE TELCALL TO SEATTLE, AUG. 6, 1974.

REC-5

145-5049-90

[REDACTED] ARRIVED MISSOULA, MONTANA, VIA NORTHWEST FLIGHT 109, 5:59 P.M., AUG. 5, 1974, AND HAD AS LUGGAGE ONE GRAY 145-5494-5 ATTACHE CASE; ONE SMALL BROWN TOILET KIT; ONE DARK BLUE FLIGHT BAG TYPE SUITCASE; TWO MEDIUM SIZE CARDBOARD CARTONS, TIED WITH STRING, EACH WITH HANDLE; AND ONE CARDBOARD WEB-BELT BOUND FILM MAILING CONTAINER. IMMEDIATELY PROCEEDED HOLIDAY INN, TELETYPE TO: END PAGE ONE

TELETYPE TO:

PAGE TWO

BT (145-195)

WHERE HE DROPPED OFF LUGGAGE IN ROOM AND TRAVELED VIA TAXI TO ROXY THEATER ATTEMPTING TO DELIVER ONE OF ABOVE-MENTIONED BROWN CARDBOARD BOXES. UNABLE TO ENTER ROXY; PROCEEDED WILMA THEATER, GOING INSIDE AND EMERGING EMPTY-HANDED.

RETURNED TO MOTEL WHERE HE REMAINED FOR EVENING.

AT MOTEL AFTER DINNER ENGAGED MANAGER [REDACTED] IN CONVERSATION, SAYING HE WAS "IN MOVIE BUSINESS;" HAD DELIVERED MOVIE IN MISSOULA AND WAS EN ROUTE TO HONOLULU TO DELIVER ANOTHER MOVIE WHERE HE WOULD RECEIVE \$23,000 CASH. FURTHER ENGAGED MANAGER IN CONVERSATION RE MONEY COLLECTING AND DISPLAYED COLLECTION OF RARE U. S. CURRENCY.

[REDACTED] DEPARTED MISSOULA VIA NORTHWEST FLIGHT 603, 7:56 A.M., MDST, EN ROUTE TO SEATTLE. CHECKED THROUGH TO SEATTLE ONE BROWN CARDBOARD BOX, ABOVE MENTIONED FILM CARTON, AND SUITCASE. CARRIED ON AIRCRAFT ATTACHE CASE AND TOILET KIT.

b6
b7C

[REDACTED] WEARING CREAM-COLORED LONG SLEEVE DRESS SHIRT WITH THIN RED STRIPES, BLACK PANTS, BLACK SHOES.

FOR INFO. ALL OFFICES PHOTO FURNISHED BY NEW YORK EXCELLENT LIKENESS. FOR INFO. [REDACTED] IS OWNER WILMA AND
END PAGE TWO

PAGE THREE

BT (145-195)

ROXY THEATERS, MISSOULA, AND ROXY THEATER FREQUENTLY SHOWS
X-RATED MOVIES AND IS CURRENTLY SHOWING "DEEP THROAT" AND
"THE DEVIL IN MISS JONES." BACKGROUND IMMEDIATELY BEING
COMMENCED ON [REDACTED]; HOWEVER, BELIEVED HE IS SUFFICIENTLY
WEALTHY TO PAY [REDACTED] FOR CAPTIONED MOVIE MENTIONED IN NEW YORK
TEL, AUG. 2, 1974.

b6
b7C

SEATTLE ADVISED OF [REDACTED] DEPARTURE BY TELEPHONE.
INVESTIGATION, BUTTE, CONTINUING. FD-302S FOLLOW.
END.

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 06 1974
DCW
TELETYPE

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6
C

WXA

NR001 SE PLAIN

205PM URGENT 8-6-74 DCB

TO DIRECTOR

BUTTE (145-195)

DETROIT (145-805)

HONOLULU VIA WASH. (145-189)

MINNEAPOLIS

NEWARK (145-1326)

NEW YORK

FROM SEATTLE (145-NEW) 1P

MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM, GERARD

DAMIANO - DIRECTOR, [REDACTED] - COURIER, ITOM, OO: NEW YORK.

RE BUTTE TELETYPE AUGUST 6, 1974 AND SEATTLE TELCALL TO
HONOLULU AUGUST 6, 1974.

[REDACTED] ARRIVED SEATTLE APPROXIMATELY 8:59 AM ON NORTHWEST
FLIGHT 603 AUGUST 6, 1974. UPON DEPLANING WENT DIRECTLY TO
CHECK-IN GATE AND CHECKED IN FOR NORTHWEST FLIGHT 87 TO HONOLULU.
FLIGHT 87 WAS BRIEFLY DELAYED SO WAS NOT BOARDING AT THAT TIME.

[REDACTED] WAITED IN AIRPORT TERMINAL APPROXIMATELY 20 MINUTES AND
BOARDED NORTHWEST FLIGHT 87 WHICH DEPARTED SEATTLE AT 145-5494-6
APPROXIMATELY 9:45 AM FOR HONOLULU. [REDACTED] MADE NO PERSONAL

OR TELEPHONIC CONTACT AT SEATTLE. HE WAS CARRYING DARK GRAY OR
BLACK ATTACHE CASE AND BROWN SHAVING KIT. [REDACTED] DRESSED AS
DESCRIBED AND DID NOT CLAIM OR CHECK ANY BAGGAGE AT SEATTLE.

END

TELETYPED TO:
[REDACTED]
F67

6-4

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Assoc. Dir. _____
Dep.-A.D.- _____
Dep.-A.D.-Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
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Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

NR 002 BT PLAIN

4:05 PM URGENT AUGUST 6, 1974 LKS

TO DIRECTOR

DETROIT (145-805)

HONOLULU (VIA WASHINGTON) (145-189)

MINNEAPOLIS

NEWARK (145-1326)

NEW YORK

SEATTLE

FROM BUTTE (145-195) (P) 3P

MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM, GERARD

DAMIANO - DIRECTOR, [REDACTED] COURIER, ITOM, OO NEW
YORK.

RE BUTTE TEL, AUG. 6, 1974.

[REDACTED] MANAGER, HOLIDAY INN, MISSOULA, MONTANA,
ON INTERVIEW, AUG. 6, 1974, STATES WHEN [REDACTED] ENGAGED HIM IN
CONVERSATION, HE SPECIFICALLY STATED HE WAS EMPLOYED BY MOVIE
COMPANY. FURTHER DISPLAYED U. S. CURRENCY COLLECTION, SPECI-
FICALLY SHOWING SILVER CERTIFICATE, \$1.00, \$2.00 BILLS, AND
OTHER DENOMINATION BILLS QUITE OLD BUT IN GOOD CONDITION.
ADVISED MANAGER HAD MORE SUCH COLLECTOR ITEM CURRENCY IN
ROOM IN ADDITION TO RARE COIN COLLECTION.

b6
b7C

TOLD MANAGER WOULD BE RETURNING MISSOULA APPROXIMATELY
THREE TO FOUR WEEKS AND WOULD BRING ENTIRE COLLECTION AND
END PAGE ONE

F67

REC-5

AUG 7 1974

6- [Signature]

PAGE TWO

BT (145-195)

WOULD CONTACT HIM. FURTHER INDICATED DESIRE TO PURCHASE HANDGUN STATING HE WAS APPLICANT FOR NYCPD AND INTERESTED IN SNUB-NOSE OFF-DUTY WEAPON.

DE LUX CAB DRIVER [] MISSOULA, ON INTERVIEW STATES HE HAULED [] ON TRIP REFERRED TO RETEL.

[] STATED WAS WORKING FOR MAN WHO MADE "DEEP THROAT," AND WAS DELIVERING FILM IN MISSOULA WHICH WAS SEQUEL AND NEXT STEP IN PORNOGRAPHIC MOVIES. ADVISED HE WANTED TO GO TO ROXY THEATER AND WOULD WALK TO WILMA BUILDING, MISSOULA, WHERE MAN WHO OWNED ROXY HAD OFFICE.

IT IS NOTED [] REFERRED TO IN RETEL, OWNS BOTH WILMA AND ROXY THEATERS AND WILMA BUILDING. FURTHER TOLD CAB DRIVER WAS PRECEEDING TO HAWAII WITH COPY OF SAME MOVIE.

b6
b7c

ASKED [] WHERE HE COULD PURCHASE HANDGUN GIVING NO REASON AND WHEN TOLD ALL STORES CLOSED BECAUSE OF LATENESS OF HOUR, ADVISED THAT IT MADE NO DIFFERENCE AS HE WAS DEPARTING
END PAGE TWO

PAGE THREE

BT (145-195)

FOR SEATTLE AND HAWAII IN EARLY MORNING.

IN VIEW OF INTEREST IN OBTAINING WEAPON, CONSIDER
HIM TO BE POTENTIALLY ARMED AND DANGEROUS.

b6
b7C

FD-302S FOLLOW.

END.

VW

MSY FBIHQ R RELAY

#

#

WXA

Act
5/174

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
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Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 001 HN PLAIN

6:25PM HST NITEL AUGUST 6, 1974 JVS

AUG 07 1974

TO: DIRECTOR, FBI

SAC, BUTTE

SAC, DETROIT

SAC, MINNEAPOLIS

SAC, NEWARK

SAC, NEW YORK

SAC, SEATTLE

ALL RECEIVING OFFICES VIA FBI HQ///

FROM: SAC HONOLULU (145-189) (P)

STATISTICS TAKEN
AUG 23 3 30 PM '74
DA PRICES AG
ACTION - FBI

CW 6 J

NY N/A 02-16-79

MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM; GERARD

DAMIANO - DIRECTOR; [REDACTED] - FUGITIVE; ITOM.

OO: NEW YORK.

REC-20

145-5494-8
AUG 7 1974 b7C

RE HONOLULU TELETYPE TO BUREAU, AUGUST 5, 1974.

SUBJECT [REDACTED] ARRIVED HONOLULU 12:15 P.M., AUGUST 6,

1974 AND ARRESTED BY BUAGENTS AT HONOLULU INTERNATIONAL

AIRPORT. [REDACTED] ARREST BASED UPON WARRANT ISSUED BY

U. S. MAGISTRATE HAROLD R. SULLIVAN ON AUGUST 6, 1974, CHARGING

[REDACTED] WITH VIOLATION TITLE 18, U.S. CODE, SECTION 1465.

DATA PROCESSING
EX Sup
SFA

END PAGE ONE

5 AUG 27 1974
TELETYPED TO:
[REDACTED]

HN 145-189

PAGE TWO

COMPLAINT WITH SUPPORTING AFF¹ADAVIT FILED ON AUGUST 6,
1974 BY SA [REDACTED] HONOLULU, HAWAII.

[REDACTED] ONLY HAD DARK GRAYISH BLACK ATTACHE CASE AND
TOILETRY KIT IN HIS POSSESSION. 3 PIECES OF LUGGAGE DID NOT
MAKE FLIGHT CONNECTION AT SEATTLE, WASHINGTON AND WILL NOT
ARRIVE HONOLULU, HAWAII UNTIL 10:05 P.M., AUGUST 6, 1974.

[REDACTED] INTERVIEWED BY BUAGENTS, IS COOPERATIVE, AND
FURNISHED CONSENT TO SEARCH LUGGAGE UPON ARRIVAL. [REDACTED]
ADVISED HE IS EMPLOYED BY INISH KAE, LTD., 2 WEST 45TH
STREET, NEW YORK, NEW YORK AND ADVISED JERRY DAMIANO AS
THE MOVIE DIRECTOR OF THIS FILM. FILM INVOLVED IN MAKING
X-RATED MOVIES. HE ADVISED [REDACTED] WAS BUSINESS MANAGER
AND FURTHER IDENTIFIED HIS OWN SUPERVISOR AS PHIL PARISI
(PHONETIC). HE ADVISED HE DELIVERED 2 COPIES OF CAPTIONED
FILM TO (FNU) [REDACTED] WHO IS EMPLOYED BY GAIL FILM DISTRIBUTORS,
DETROIT, MICHIGAN. HE DELIVERED 1 35 MILLIMETER COPY OF THE
END PAGE TWO

b6
b7C

HN 145-189

PAGE THREE

FILM TO AN INDIVIDUAL WHOSE NAME HE DOES NOT RECALL AT THE
WILMA BUILDING IN MISSOULA, MONTANA. HE ADVISED HIS LUGGAGE
CONTAINS 2 ADDITIONAL COPIES OF CAPTIONED FILM, 1 16 MILLIMETER,
1 35 MILLIMETER WHICH WERE TO BE DELIVERED TO [REDACTED]
[REDACTED] WAIPAHU THEATRE, WAIPAHU, OAHU, HAWAII.

SUBJECT ALLOWED TO TELEPHONICALLY CONTACT COUSIN

[REDACTED] [REDACTED] ALSO SPOKE WITH SA [REDACTED] AND REQUESTED
THAT [REDACTED] BE ADVISED THAT HE, [REDACTED] DID NOT INTEND FOR
[REDACTED] TO BECOME INVOLVED. [REDACTED] ADVISED HE WILL CONTACT
SA [REDACTED] IN NEW YORK.

b6
b7c

SUBJECT LODGED HONOLULU JAIL PENDING APPEARANCE BEFORE
USM AT 10:00 A.M., AUGUST 7, 1974.

AUSA WILLIAM C. MC CORRISTON, HONOLULU, ADVISED HE
INTENDS TO FILE SUPERSEDING COMPLAINT ON AUGUST 7, 1974,
CHARGING SUBJECT WITH VIOLATION TITLE 18, U. S. CODE, SECTION
1462.

END PAGE THREE

HN 145-189

PAGE FOUR

ALL AUXILIARY OFFICES SUAIRTEL, FD-302'S TO NEW YORK
FOR PREPARATION OF REPORT AND FURNISH INFORMATION COPIES
TO HONOLULU.

HONOLULU WILL FOLLOW SUBJECT'S APPEARANCE AND SUREP.

NO PRESS RELEASE MADE AT HONOLULU IN VIEW OF FACT
FILM NOT SEIZED AS OF THIS TIME.

SUBJECT NOT IN POSSESSION OF ANY WEAPON.

END.

HOLD HOLD

RMS FBIHQ

R-RELAY

CC-6

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 08 1974

TELETYPE

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. *[initials]* _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

NR 006 HN PLAIN

6:15 PM HST NITEL AUGUST 8, 1974 RLA

TO DIRECTOR

BUTTE (145-195)

DETROIT (145-805)

NEWARK (145-1326)

NEW YORK (145-3670)

///ALL OFFICES VIA FBI HQ///

FROM HONOLULU (145-189) (P) 3P

MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM; GERARD
DAMIANO - DIRECTOR; [REDACTED] - COURIER; ITOM. 00: NY.

b6
b7C

RE HONOLULU TELETYPE TO NEWARK AND NEW YORK, AUGUST 7,
1974.

FOR INFORMATION BUREAU AND RECEIVING OFFICES, ASSISTANT
US ATTORNEY (AUSA) WILLIAM C. MC CORRISTON, HONOLULU, IN
CONTACT WITH DEPARTMENTAL ATTORNEYS, HAS DECIDED ON FOLLOWING
COURSE OF ACTION IN THIS MATTER. [REDACTED] REMAINS COOPERATIVE,
SERVED WITH SUBPOENA BY BUREAU AGENT ON AUGUST 8, 1974 AND

END PAGE ONE

REC 98

145-5494-9
AUG 9 1974

TELETYPED TO:

officers [initials]
56 AUG 16 1974

cc - [initials]

PAGE TWO

HN 145-189

[REDACTED]
[REDACTED] [REDACTED] ATTEMPTING TO MAKE CONTACT
WITH [REDACTED], WHO OPERATES REX THEATER AND WAIPAHU

b3 Rule 6(e)
b6
b7C

[REDACTED]
[REDACTED] [REDACTED] WILL

[REDACTED]
[REDACTED] INISH KAE, LTD. IN NEW
YORK [REDACTED] [REDACTED] WILL DEPART HONOLULU

ABOARD UNITED AIRLINES FLIGHT 992 ON AUGUST 9, 1974, ARRIVING
NEWARK AIRPORT AT 2:35 PM, AUGUST 10, 1974.

AUSA MC CORRISTON HAS ADVISED DEPARTMENT DESIRES MATTER
BE PROSECUTED AT MISSOULA, MONTANA, BECAUSE OF LOCAL
SENTIMENT, JURY APPEAL AND OTHER REASONS MORE FAVORABLE TO
GOVERNMENT'S POSITION. DEPARTMENT FURTHER ADVISED AUSA
MC CORRISTON THAT PHIL PERASI (PHONETIC), WHO IS [REDACTED]
SUPERIOR, IS A SUBJECT IN ANOTHER ITOM MATTER, POSSIBLE

END PAGE TWO

PAGE THREE

HN 145-189

INVOLVING THE MEMPHIS DIVISION, AND IS BELIEVED TO BE COOPERATIVE. DEPARTMENT FEELS TESTIMONY OF PERASI AND [REDACTED] COMBINED MAY BE ENOUGH TO SUCCESSFULLY PROSECUTE DAMIANO, ET AL.

[REDACTED] WILL CONTINUE TO WORK AT INISH KAE AND IT APPEARS CAN PROVIDE EXTREMELY WORTHWILE INFORMATION REGARDING OPERATION AND ACTIVITIES.

HONOLULU PREPARING REPORT IN THIS MATTER.

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NEWARK REQUESTED TO MEET [REDACTED] UPON ARRIVAL NEWARK AIRPORT, 2:35 PM, AUGUST 10, 1974, AND FACILITATE HIS OBTAINING OF HIS VEHICLE. [REDACTED] HAS EXTRA KEYS; HOWEVER, AUTO CLAIM CHECK FORWARDED BY AIRTEL DATED AUGUST 7, 1974.

NEW YORK ESTABLISH CONTACT WITH [REDACTED] WHO HAS BEEN ADVISED TO TELEPHONICALLY CONTACT SA [REDACTED] AT 9:00 AM, AUGUST 12, 1974, AT NEW YORK OFFICE.

HONOLULU WILL CONTINUE TO FOLLOW AND ADVISE RESPECTIVE OFFICES.

END

JPS FBIHQ

HOLD

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 10 1974

NR001 HN PLAIN

TELETYPE

8:05PM HST NITEL AUGUST 9, 1974 RJC
TO DIRECTOR, FBI

SAC, BUTTE (145-195) (VIA FBI HQ)

SAC, DETROIT (145-805) (VIA FBI HQ)

SAC, NEWARK (145-1326) (VIA FBI HQ)

SAC, NEW YORK (145-3670) (VIA FBI HQ)

FROM SAC, HONOLULU (145-189) (P) 2P

MEMORIES WITHIN MISS AGGIE, MOTION PICTURE FILM;

GERARD DAMIANO - DIRECTOR; [REDACTED] - COURIER;

ITOM. 00: NEW YORK.

RE HONOLULU TELETYPE TO BUREAU DATED AUGUST 8, 1974.

SUBJECT [REDACTED] APPEARED BEFORE FEDERAL GRAND JURY,

[REDACTED] AND WILL DEPART AS SCHEDULED
ARRIVING NEWARK AIRPORT AT 2:35 P.M., AUGUST 10, 1974.

LOCAL PRESS, HONOLULU, HAWAII, PUBLISHED STORY CONCERNING
ARREST AND SEIZURE OF MOVIES AT AIRPORT. [REDACTED] WAS IN
TELEPHONIC CONTACT WITH INDIVIDUALS IN HONOLULU TO PURCHASE
FILM, HOWEVER, NEWSPAPER STORY THWARTED THIS EFFORT. [REDACTED]

END PAGE ONE

Asst. Dir.
Dep. A.D.
Dep. A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

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b3

REC-48

EX-111

145-5494-10
AUG 12 1974

34 AUG 19 1974

TELETYPED TO:

BT, DE, NR, NY

6-4w

HN 145-189

PAGE TWO

TELEPHONICALLY CONTACTED INISH KAE IN NEW YORK AND ADVISED HE HAD BEEN ARRESTED, MOVIES SEIZED AND HAD SPENT TIME IN JAIL. HE SUBSEQUENTLY TOLD SECRETARY AT INISH KAE THAT HE WAS RELEASED FROM JAIL AND MOVIES RETURNED TO HIM AFTER ASSISTANT U.S. ATTORNEY DECLINED TO PROSECUTE. HE REQUESTED GUIDANCE AS TO DISPOSITION OF FILM AND WAS TOLD TO QUOTE LEAVE THEM UNQUOTE, AND RETURN TO NEW YORK FOR MEETING WITH OTHER SUBJECTS. INDIVIDUALS HE DEALS WITH AT INISH KAE WOULD NOT DISCUSS MATTER ON TELEPHONE AND WOULD CONTACT HIM UPON HIS RETURN TOMORROW. FILMS ARE REMAINING IN POSSESSION OF U. S. ATTORNEY'S OFFICE, HONOLULU, ALTHOUGH SUBJECTS WILL BE TOLD BY [] THAT HE DESTROYED THEM.

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HONOLULU IS NOT AWARE IF [] HAS BEEN COMPLETELY COMPROMISED, HOWEVER, IT APPEARS HE MAY STILL BE OF VALUE TO NEW YORK OFFICE. [] INSTRUCTED TO TELEPHONICALLY CONTACT NEW YORK OFFICE AFTER HIS CONTACT WITH OTHER SUBJECTS ON AUGUST 10, 1974 AND TO ADVISE SA [] RE DEVELOPMENTS. END.

#

JPS FBIHQ GA

9130

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE HONOLULU	OFFICE OF ORIGIN NEW YORK	DATE 8/12/74	INVESTIGATIVE PERIOD 8/2-9/74
TITLE OF CASE CHANGED GERARD DAMIANO; PHIL PARISI; dba INISH KAE, LTD. 2 West 45th Street New York, New York; Motion Picture Film "Memories Within Miss Aggie"; (NMN) FUGITIVE		REPORT MADE BY SA 	TYPED BY keh
		CHARACTER OF CASE ITOM 8-26-74	

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Title marked "CHANGED" to identify the company and employees of the company responsible for captioned motion picture. Title previously carried as "Memories Within Miss Aggie, Motion Picture Film; GERARD DAMIANO - DIRECTOR; - COURIER; ITOM; OO: NEW YORK."

REFERENCES

New York teletype to Bureau, 8/2/74;
New York teletype to Honolulu, 8/3/74;
Newark teletype to Bureau, 8/5/74;

ACCOMPLISHMENTS CLAIMED HN <input type="checkbox"/> NONE					ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
	1			\$23,000		
APPROVED ✍					SPECIAL AGENT IN CHARGE	
COPIES MADE:					DO NOT WRITE IN SPACES BELOW	
(2) - Bureau (Continued on page B) 1 - Honolulu (145-189)					REC-71 MCT-34 CH 43 145-5494-11 3 AUG 19 1974	
Dissemination Record of Attached Report					Notations	
Agency	ICC AAG(CD)		ICC Bob Trent		FUG SUP DATA PROC	
Request Recd.	8/30/74		9-24-74			
Date Fwd.	8/30/74		9-24-74			
How Fwd.	By		By			
By	By		By			

HN 145-189

Copies Made (Continued):

- 1 - USA, Honolulu
- 3 - Butte (145-195)
(1 - USA, Missoula)
- 3 - Detroit (145-805)
(1 - USA, Detroit,
Attn: AUSA WILLIAM IBERSHOFF)
- 2 - Newark (145-1326)
- 3 - New York (145-3670)
(1 - USA, New York)

REFERENCES (Continued)

Detroit teletype to Bureau, 8/5/74; ✓
Minneapolis teletype to New York, 8/5/74; 10
Honolulu teletype to Bureau, 8/5/74; ✓
Honolulu teletype to New York, 8/5/74; 10
Seattle teletype to Bureau, 8/6/74; ✓
Butte teletype to Bureau, 8/6/74; ✓
Honolulu teletype to Bureau, 8/6/74; ✓
Detroit teletype to Honolulu, 8/6/74; 10
Butte teletype to Bureau, 8/6/74; ✓
New York teletype to Honolulu, 8/6/74; 10
Honolulu teletype to New York, 8/7/74; 10
Honolulu teletype to Bureau, 8/8/74. ✓

- P -

ADMINISTRATIVE

For the information of the Bureau and all receiving offices, as of 8/9/74 subject [] remains cooperative and may still be in a position to furnish valuable information concerning the operations of GERARD DAMIANO and his associates at Inish Kae, Ltd., in New York.

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- B -

COVER PAGE

HN 145-189

The complaint, superseding complaint, search warrant and affidavit for search warrant have all been made a part of this report at the specific request of AUSA WILLIAM C. McCORRISTON, who desires this information be made available to the USA's Office handling the matter in Missoula, Montana.

Honolulu is claiming one fugitive credit for the arrest of captioned subject [redacted] at the Honolulu International Airport on 8/6/74. Fugitive form letter was being prepared at the time of his arrest. In addition, a recovery in the amount of \$23,000 is claimed, which is the value of the two films seized in this matter and currently retained by the Honolulu Office.

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LEADS

BUTTE

AT MISSOULA, MONTANA

Will follow this matter with the USA's Office regarding possible prosecution.

DETROIT

AT DETROIT, MICHIGAN

Will forward results of investigation at New York Office for preparation of a report in this matter.

NEWARK

AT NEWARK, NEW JERSEY

Will forward results of investigation to New York Office for preparation of a report in this matter.

NEW YORK

AT NEW YORK CITY, NEW YORK

Will prepare a report in this matter and continue investigation.

- C -

COVER PAGE

HN 145-189

HONOLULU

AT HONOLULU, HAWAII

Will advise the results of subject [] appear-
ance before Federal Grand Jury. []

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- D* -

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Honolulu
1 - USA, Missoula
1 - USA, Detroit (Attn: AUSA WILLIAM IBERSHOFF)
1 - USA, New York

Report of: SA [redacted]
Date: August 12, 1974

Office: Honolulu

Field Office File #: HN 145-189

Bureau File #:

Title: GERARD DAMIANO;
[redacted]
PHIL PARISI;
Doing Business As
INISH KAE, LTD.
2 West 45th Street
New York, New York;
Motion Picture Film
"Memories Within Miss Aggie";
[redacted] (No Middle Name) [redacted]

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: Information received by New York Office that [redacted] [redacted] caucasian male, 31 years old, would depart Newark, New Jersey, on 8/5/74 and travel via Detroit, Michigan, Minneapolis, Minnesota, Missoula, Montana, and Seattle, Washington, en route to Honolulu, Hawaii, making deliveries of movie "Memories Within Miss Aggie," a GERARD DAMIANO directed hard-core pornographic movie. Complaint filed by SA [redacted] on 8/6/74 charging [redacted] with violation U.S. Code, Title 18, Section 1465. Search warrant additionally obtained for [redacted] and luggage. Surveillance of [redacted] conducted by FBI offices at above locations. [redacted] arrested by BuAgents, Honolulu International Airport, 8/6/74; however, luggage delayed by airlines in Seattle. [redacted] consented to having luggage searched on 8/7/74, and two copies of film, one 16 mm. and one 35 mm., obtained and shown to AUSAs, Honolulu. Superseding complaint filed on 8/7/74 charging violation U.S. Code, Title 18, Sections 1462, 2. [redacted] furnished itinerary of travel and identity of employers. [redacted] appeared before Federal Grand Jury, [redacted] and thereafter returned to New York City. Films being retained by Honolulu FBI. AUSA WILLIAM C. MCCORRISTON, Honolulu, advised that in discussions with U.S. Dept. of Justice, matter will be prosecuted in Missoula, Montana.

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HN 145-189

Details:

This investigation was predicated upon receipt of information from the New York Office of the FBI of the following:

On August 2, 1974, the New York Office advised it had determined through investigation that [redacted] will travel from Queens, New York, on Monday, August 5, 1974, and travel to receiving offices delivering copies of film "Memories Within Miss Aggie," which he will sell to various pornographic theater representatives for approximately \$25,000 per copy.

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The following is a description of this film as it appears in the latest copy of Screw Magazine:

"Memories Within Miss Aggie is the new Gerry Damiano movie and it's by far his best yet. Sensational is the only word to describe how Damiano has taken the porn field genre and fuse it with the more serious aspects of art films to produce a moving, intense turn-on film. Although only about 30 percent of the film's footage is actually devoted to sex, this in no way detracts from its sexual appeal and, in fact, works to heighten viewer response to what hard-core action there is. Indeed, the reduced concentration of sex footage has allowed Damiano to emphasize the acting and character development and to integrate the sex action into the story in a meaningful way.

"Featuring such porno stalwarts as Kim Pope, Darby Lloyd Raines, Harry Reems and Mary Stewart, all of whom turn in fine acting performances, the story is basically about a crazy old women who tries to remember her past. But there is something in her past that prevents her from remembering what is real and the woman, played by Deborah Ashire, constantly lapses into fantasy. Under the skillful direction of Damiano, each flash-back segment builds on the next to lead us to the movie's shattering, high impact conclusion. There has never been a porno movie like this

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before, and whatever you do, you won't want to miss it. Playing at the World 49th St., off 7th Ave."

At 5:00 a.m., August 5, 1974, [] will leave his residence located at [] Rego Park, Queens, New York, in his 1971 green Dodge Dart, two-door, bearing 1974 New York License [] and travel to Newark Airport's United Air Lines terminal. He will either have the film reels with him or may pick them up en route. First flight departs Newark 7:00 a.m., August 5, 1974.

The following is [] flight itinerary:

<u>Date</u>	<u>City</u>	<u>Carrier</u>	<u>Flight</u>	<u>Destination</u>
August 5	Newark	United	249	Detroit
August 5	Detroit	Northwest	515	Minneapolis
August 5	Minneapolis	Northwest	109	Missoula, Mont.
August 6	Missoula	Northwest	603	Seattle
August 6	Seattle	Northwest	87	Honolulu

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[] will stay in Honolulu until 9:30 p.m., August 7, 1974, when he will depart via Flight 992, non-stop, to Newark, arriving at 2:35 p.m., August 8, 1974.

[] expects to pick up \$23,000 at Honolulu Airport and will then travel to an unknown bank. It is possible that he may be in possession of in excess of \$100,000 at this time.

The following is a description of []

Name:	[]
Race:	White
Sex:	Male
Height:	5'2"
Weight:	130 lbs.
Hair:	Brown
Eyes:	Brown

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Date of Birth:
Place of Birth:

[redacted]
Queens, New York

By communication dated August 3, 1974, the New York Office of the FBI advised as follows:

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On August 2, 1974, SAs [redacted] and [redacted] reviewed captioned film at World Theater, 49th Street, New York City.

The story is of an elderly white female who lives alone in an isolated farmhouse, possibly in upstate New York. It is wintertime. Film appears to be high quality 35 mm. color. Cinematography, art work, set design, sound track, technical aspects and acting are all excellent.

The main character, Miss Aggie, wanders alone through the deserted farmhouse talking to mummified corpse of man she killed unknown time prior. In a series of flashbacks, she relives her sex life. In fast episode, she is a young blonde who seduces a country boy to her deserted farmhouse. They strip, and the man performs cunnilingus. She then performs fellatio. All scenes are graphic, explicit, with color closeups of penetration. There is no simulated sex. After the mutual oral sex, intercourse is performed, and ejaculation is shown.

Upon completion, there is a return to the present with more wandering and babblings. In the next flashback, we see Aggie as a young, black-haired woman in what is apparently a second-story loft adjacent to the main farm building. She is dressed in a red silk dress which is open in the front, revealing her breasts and vaginal area. There is a bed in the loft, upon which she sits while caressing the front of her body with a small doll. She rubs the doll on her breasts and vaginal area, then masturbates with the doll. Closeups depict the actual insertion. During this masturbation, a truck arrives outside. It is the actor HARRY REEMS, who portrays a farmer with a load of hay to deliver. She opens the loft doors and stands in the open doorway. REEMS, through the use of a convenient ladder, climbs to the loft and enters. They sit on the bed and talk. She caresses his genitals. REEMS strips, and she performs fellatio, and they then engage in sexual

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intercourse with closeups shown. REEMS withdraws and then mounts her from the rear while penetrating her anally. This intercourse continues until he withdraws and ejaculates on her back.

A quick flash to the present, more idle talk with the corpse and we flash back in time again. Now it appears she is working in a house of prostitution. She is a blonde wearing only a waist corset, black silk stockings and high heels while lying on a bed. There is a fully clothed man seated in a corner. He watches while she caresses her naked breasts and vaginal area. She begs him to have intercourse. He remains seated while she masturbates and penetrates her vagina and anus with her finger. There is much pleading and sexually enticing body gyrations in this scene. We then cut to Aggie and the man in the corner, now both naked in bed. She performs fellatio and drinks the semen. The scene closes when she drools out the ejaculation onto his body.

In the next scene, Aggie is in an empty church. She exits and meets a man in an adjacent cemetery. She invites him home and murders him after enticing him to take her to bed. This is the corpse that she now lives with, and the movie ends.

During this story, which lasts slightly more than an hour, every person in the film is there for sexual reasons. All of the sex is hetero, all of the performers are caucasian and no animal sex is portrayed.

By communication dated August 5, 1974, the Newark Office of the FBI advised as follows:

On August 5, 1974, [] departed on United Air Lines Flight 249 from Newark at 7:00 a.m., en route Detroit, wearing a yellow T-shirt, blue jeans and white sneakers. The description in New York communication of August 2, 1974, fits, and [] also wears a mustache.

[] checked the following baggage:

To Detroit: Two cardboard boxes with baggage claim tickets numbered 304068 and 304069.

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To Missoula, Montana: Two cardboard boxes with baggage claim tickets numbered 003993 and 003994, film box with number 003996 and a suitcase with number 003995.

[] itinerary checked with United Air Lines, Newark, and reflected it is identical to that in New York communication dated August 2, 1974, except he returns on August 7, 1974, via United Air Lines Flight 992, arriving at Newark at 11:40 a.m., with stopover in Chicago.

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[] left contact telephone numbers []
and [] (care of []).

By communication dated August 5, 1974, the Detroit Office of the FBI advised as follows:

[] was observed by Bureau Agents on August 5, 1974, at 8:31 a.m., arriving on United Air Lines Flight 249 at Detroit Metropolitan Airport. [] was described as a white male, 130 pounds, 5 feet 2 inches, dark hair, mustache, wearing a yellow knit pullover shirt, blue jeans and white striped tennis shoes. [] departed the aircraft carrying one brown and one gray briefcase. [] was overheard by Bureau Agents attempting telephonic contact with Gail Film Distributors, 16300 West 9 Mile Road, Southfield, Michigan, through the information operator at a telephone booth located in the area of United Air Lines baggage claim. [] was unable to make telephonic contact.

Immediately thereafter, [] was observed contacting an unidentified white male, 6 feet 2 inches, 190 pounds, black hair and mustache, at United Air Lines baggage claim area. [] turned over two cardboard cartons, each approximately 3 feet by 2 feet by 6 inches, to this individual after obtaining them from United Air Lines baggage claim. The unidentified white male and [] exited the terminal and were observed placing these two cartons in the trunk of a black-over-blue Pontiac Catalina bearing 1974 Michigan License [] subsequently determined to be registered to a [] [] Oak Park, Michigan.

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No exchange of money was observed. Photographs were taken.

The above unidentified male was followed to 16300 West 9 Mile Road, Southfield, Michigan, and was observed carrying two cartons into this location.

[] was observed boarding Northwest Orient Airlines Flight 515 at approximately 9:43 a.m., August 5, 1974, for departure to Minneapolis. The flight was scheduled to arrive at Minneapolis 10:25 a.m., Minneapolis time.

[] boarded the aircraft carrying the above-described gray and brown briefcases. No luggage was checked aboard the aircraft as baggage by []

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On August 5, 1974, the content of the film "Memories Within Miss Aggie" was discussed with Assistant U. S. Attorney (AUSA) WILLIAM IBERSHOFF, Detroit, who stated he would decline prosecution of this film due to short durations of pornographic scenes contained therein.

By communication dated August 5, 1974, the Minneapolis Office of the FBI advised as follows:

Northwest Orient Airlines Flight 515 arrived at Minneapolis, Minnesota, at 10:25 a.m., August 5, 1974. A white male, matching the description of [] wearing a tan T-shirt, blue jeans and white athletic shoes, carrying a black attache case and a tan 15-inch toilet kit, apparently alone, deplaned.

For the next three hours he wandered around the airport terminal and then boarded Northwest Orient Airlines Flight 109, departing at 1:25 p.m., which makes a number of intermediate stops between Minneapolis and Seattle, Washington, including Missoula, Montana.

[] was observed making no contacts or phone calls while in Minneapolis.

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By communication dated August 6, 1974, the Seattle Office of the FBI advised as follows:

[] arrived in Seattle at approximately 8:59 a.m. aboard Northwest Flight 603 on August 6, 1974. Upon deplaning, he went directly to the check-in gate and checked in for Northwest Flight 87 to Honolulu. Flight 87 was briefly delayed, so it was not boarding at that time. [] waited in the airport terminal approximately 20 minutes and boarded Northwest Flight 87, which departed Seattle at approximately 9:45 a.m. for Honolulu. [] made no personal or telephonic contact at Seattle. He was carrying a dark gray or black attache case and a brown shaving kit. [] was dressed as described and did not claim or check any baggage at Seattle.

By communications dated August 6, 1974, the Butte Office of the FBI advised as follows:

[] arrived in Missoula, Montana, via Northwest Flight 109, 5:59 p.m., August 5, 1974, and had as luggage one gray attache case, one small brown toilet kit, one dark blue flight bag type suitcase, two medium size cardboard cartons tied with string, each with handle, and one cardboard web-belt bound film mailing container.

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[] immediately proceeded to Holiday Inn, where he dropped off the luggage in the room and traveled via taxi to the Roxy Theater, attempting to deliver one of the above-mentioned brown cardboard boxes. He was unable to enter Roxy and proceeded to the Wilma Theater, going inside and emerging empty-handed.

[] returned to the motel where he remained for the evening.

At the motel, after dinner, [] engaged Manager [] in conversation, saying he was "in movie business," had delivered movie in Missoula and was en route to Honolulu to deliver another movie where he would receive \$23,000 cash. He further engaged the manager in conversation regarding money collecting and displayed collection of rare United States currency.

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[] departed Missoula via Northwest Flight 603 at 7:56 a.m., MDST, en route to Seattle. [] checked through to Seattle one brown cardboard box, above-mentioned film carton and a suitcase. He carried on the aircraft an attache case and toilet kit.

[] was wearing a cream colored long sleeve dress shirt with thin red stripes, black pants and black shoes.

[] is the owner of Wilma and Roxy Theaters, Missoula, and the Roxy Theater frequently shows X-rated movies and is currently showing "Deep Throat" and "The Devil in Miss Jones."

[] manager, Holiday Inn, Missoula, on interview August 6, 1974, stated that when [] engaged him in conversation he specifically stated he was employed by a movie company. He further displayed a United States currency collection, specifically showing silver certificate, \$1.00, \$2.00 bills and other denomination bills quite old but in good condition. [] advised [] he had more such collector item currency in the room in addition to a rare coin collection.

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[] told [] he would be returning to Missoula in approximately three to four weeks and would bring his entire collection and would call him. [] indicated a desire to purchase a handgun, stating he was an applicant for the New York City Police Department and was interested in a snub-nose off-duty weapon.

De Lux cab driver [] Missoula, on interview, stated he hauled [] on the trip referred above. [] stated he was working for a man who made "Deep Throat" and was delivering a film in Missoula which was a sequel and the next step in pornographic movies. [] advised he wanted to go to the Roxy Theater and would walk to the Wilma Building, Missoula, where the man who owned the Roxy Theater had an office.

By communication dated August 6, 1974, the New York Office of the FBI advised as follows:

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On August 1, 1974, Officer [] Queens Public Morals Squad, New York City Police Department, contacted SA [] because he was aware that SA [] had recently arrested DAMIANO in connection with his activities relating to the motion picture films "Deep Throat" and "The Devil in Miss Jones."

[] stated he wished to remain anonymous because [] was advised that his identity would remain confidential.

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[] stated that on July 31, 1974, [] told him that he was in the employ of GERRY DAMIANO, who had directed a new film entitled "Memories Within Miss Aggie" and, at DAMIANO's request, was to fly from Newark, New Jersey, via United Air Lines next Monday, August 5, 1974, at 7:00 and travel to Detroit, Minnesota, Montana and Seattle, with an ultimate destination of Honolulu, Hawaii. [] told [] that the purpose of this flight was to distribute copies of the film for DAMIANO and to receive payments for same. He stated, specifically, that in Honolulu he was to pick up \$23,000 at the airport.

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This conversation took place in Queens, New York, during the afternoon hours of July 31, 1974. Officer [] has been employed as a policeman for the past five years. He provided this information to SAs [] and [] at about 3:00 p.m., August 1, 1974, in Queens, New York.

On the morning of August 2, 1974, SA [] corroborated the information provided by [] by telephonically contacting supervisor [] of United Air Lines, New York City, who confirmed that [] had reserved a flight from Newark at 7:00 a.m., Monday, August 5, 1974, to Detroit, with connections via Northwest Airlines to Minneapolis and Missoula, Montana. [] would fly from Missoula on August 6, 1974, to Seattle and Honolulu. [] additionally provided flight numbers.

On August 2, 1974, SAs [] and [] attended the showing of the film, "Memories Within Miss Aggie," at the World 49th Street Theater in New York City. The total show

HN 145-189

time ran 1 hour and 35 minutes, including previews of coming attractions and one cartoon. The feature film, as captioned, had a running time of approximately 1 hour and 15 minutes. GERARD DAMIANO's name appeared as director. It is to be noted the New York Office is in possession of back issues of Screw Magazine, a sexually oriented New York City tabloid newspaper which has afforded extensive coverage to captioned film and listing DAMIANO as director.

On the morning of August 5, 1974, Officer [redacted] telephonically advised SA [redacted] at the New York Office that he had been in the company of [redacted] in Queens, New York, in the evening hours of Saturday, August 3, 1974, and [redacted] had reiterated his travel plans. [redacted] displayed four or five cardboard boxes which he stated contained reels of the films he was to deliver.

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HN 145-189

AT HONOLULU, HAWAII

On August 2, 1974, this matter was discussed with AUSA WILLIAM C. McCORRISTON, District of Hawaii. AUSA McCORRISTON advised it was his initial impression that because of the small amount of hard-core pornography in the movie he would decline prosecution of this matter in Hawaii. He stated, however, that he would withhold a final opinion pending a viewing of the film by Special Agents of the FBI at New York City and the results of such a viewing made known to him.

On August 5, 1974, AUSA McCORRISTON was recontacted and advised of the contents of the film as provided by the New York Office. AUSA McCORRISTON stated he would discuss this matter with the U. S. Department of Justice prior to furnishing an opinion.

On August 5, 1974, AUSA McCORRISTON advised he had discussed this matter with the U. S. Department of Justice and would authorize the filing of a search warrant and arrest warrant for [redacted] upon his arrival in Honolulu on August 6, 1974.

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On August 6, 1974, a 7-page affidavit was prepared and filed by SA [redacted] together with an affidavit for search warrant, search warrant and warrant of arrest, which were all filed before U. S. Magistrate HAROLD R. SULLIVAN at Honolulu. Based upon the request of AUSA McCORRISTON, these documents are being made a part of this report and are as follows:

United States District Court

FOR THE

DISTRICT OF HAWAII

UNITED STATES OF AMERICA

v

STANLEY LEARNER

Magistrate's Docket No. 74-135 Ms

Case No.

COMPLAINT for VIOLATION of

U.S.C. Title 18

Section 1465

BEFORE HAROLD R. SULLIVAN

Name of Magistrate

Room 322 Federal Building, Honolulu, Hi

Address of Magistrate

The undersigned complainant being duly sworn states:

That on or about August 6, 1974, at Honolulu International Airport

in the

District of Hawaii

(1) STANLEY LEARNER knowingly did transport in interstate commerce, from the State of New York, through the States of New Jersey, Michigan, Minnesota, Montana and Washington, to the State of Hawaii, copies of an obscene, lewd, lascivious and filthy film entitled "Memories Within Miss Aggie," for the purpose of the sale and distribution of said film, in violation of 18 USC § 1465.

And the complainant states that this complaint is based on the information contained in the appended affidavit of Special Agent Lester L. Amann.

APPROVED:

HAROLD M. FONG, United States Attorney

By

William C. McCorrison

WILLIAM C. MCCORRISTON

Assistant U. S. Attorney

~~XX~~

~~XX~~

Lester L. Amann
LESTER L. AMANN Signature of Complainant.
Special Agent, F.B.I.

Sworn to before me, and subscribed in my presence, August 6, 1974.

Harold R. Sullivan
Harold R. Sullivan
United States Magistrate.

(1) Insert name of accused.

(2) Insert statement of the essential facts constituting the offense charged.

- 13 -

United States District Court

FOR THE

DISTRICT OF HAWAII

Magistrate's Docket No. 74-135Ms

Case No. _____

UNITED STATES OF AMERICA

v

STANLEY LEARNER

WARRANT OF ARREST

To ANY DULY AUTHORIZED ARRESTING OFFICER:

You are hereby commanded to arrest STANLEY LEARNER, and bring him
here insert name of defendant or description
 forthwith before the nearest available United States Magistrate to answer to a complaint charging him
 with on or about August 6, 1974, in the District of Hawaii, knowingly
here describe offense charged in complaint
 transporting in interstate commerce, from the State of New York, through
 the States of New Jersey, Michigan, Minnesota, Montana and Washington,
 to the State of Hawaii, copies of an obscene, lewd, lascivious and filthy
 film entitled "Memories Within Miss Aggie," for the purpose of the sale
 and distribution of said film, in violation
 of 18 USC § 1465.

Date August 6, 1974.

Here insert designation of officer to whom warrant is issued.

 HAROLD R. SULLIVAN

United States Magistrate.

RETURN

Received _____, 19 at _____, and executed by arrest of _____

at _____

on _____

, 19 _____

Name _____

Title _____

Date _____

District of _____

, 19 _____

By _____, Deputy

FPI-LC-100M-B-73 9874

United States District Court

FOR THE

DISTRICT OF HAWAII

UNITED STATES OF AMERICA

Magistrate's Docket No. 74-13577s

Case No.

vs.

STANLEY LEARNER, his person and personal effects, including one dark gray attache case, one dark blue flight bag, one brown toilet kit, and his luggage arriving on Northwest Orient Flight #87 at Honolulu International Airport on August 6, 1974

SEARCH WARRANT

To ANY DULY AUTHORIZED ARRESTING OFFICER:

Affidavit having been made before me by LESTER L. AMANN, Special Agent, Federal Bureau of Investigation

that he ~~has reason to believe~~ that ~~on the person of~~ STANLEY LEARNER, or in his dark gray attache case, dark blue flight bag, or in his luggage arriving on Northwest Orient Flight #87 at Honolulu International Airport on August 6, 1974,

in the District of Hawaii

there is now being concealed certain property, namely a film entitled "Memories Within Miss Aggie," as more particularly described in the appended affidavit of Special Agent Lester L. Amann, and the approximate sum of \$100,000 in the form of cash, checks, or money orders,

which ~~xxx~~ film is being transported in interstate commerce when its contents are knowingly obscene, ^{here describe property} in contravention of 18 USC § 1465,

and as I am satisfied that there is probable cause to believe that the property so described is being concealed on the ~~person~~ ^{place} above described and that the foregoing grounds for application for issuance of the search warrant exist.

You are hereby commanded to search forthwith the ~~person~~ ^{place} named for the property specified, serving this warrant and making the search ~~in the daytime~~ ^{at any time in the day or night} and if the property be found there to seize it, leaving a copy of this warrant and a receipt for the property taken, and prepare a written inventory of the property seized and return this warrant and bring the property before me within ten days of this date, as required by law.

Dated this 6th day of August, 1974

- 15 -

[Signature]
U.S. Magistrate

¹ The Federal Rules of Criminal Procedure provide: "The warrant shall direct that it be served in the daytime, but if the affidavits are positive that the property is on the person or in the place to be searched, the warrant may direct that it be served at any time." (Rule 41C)

United States District Court

FOR THE
DISTRICT OF HAWAII

Magistrate's Docket No. 74-135Ms

UNITED STATES OF AMERICA

Case No. _____

vs.

STANLEY LEARNER, his person and personal effects, including one dark gray attache case, one dark blue flight bag, one brown toilet kit, and his luggage arriving on Northwest Orient Flight #87 at Honolulu International Airport on August 6, 1974

AFFIDAVIT FOR
SEARCH WARRANT

BEFORE HAROLD R. SULLIVAN, Room 322 Federal Building, Honolulu, Hawaii
Name of Magistrate Address of Magistrate

The undersigned being duly sworn deposes and says:

That he ^(has reason to believe) ~~is positive~~ that ^(on the person of) ~~he knows~~ STANLEY LEARNER, or in his dark gray attache case, dark blue flight bag, or in his luggage arriving on Northwest Orient Flight #87 at Honolulu International Airport on August 6, 1974,

in the

District of Hawaii

there is now being concealed certain property, namely a film entitled "Memories Within Miss Aggie," as more particularly described in the appended affidavit of Special Agent Lester L. Amann, and the approximate sum of \$100,000 in the form of cash, checks, or money orders,

which ~~xxx~~ film is being transported in interstate commerce when its contents are knowingly obscene, in contravention of 18 USC § 1465,

And that the facts tending to establish the foregoing grounds for issuance of a Search Warrant are ~~xxx~~ set forth in the attached document and made part of this affidavit by reference thereto.

- 16 -

LESTER L. AMANN

Special Agent, F.B.I.

Signature of Affiant.

Official Title, if any.

Sworn to before me, and subscribed in my presence, August 10, 1974

United States Magistrate.

A F F I D A V I T

The undersigned affiant, being sworn on oath, deposes and says:

1. That he is a Special Agent of the Federal Bureau of Investigation (FBI), Honolulu, Hawaii, and that your affiant has been a Special Agent with said agency for eight years and has experience in enforcing Federal laws in which the FBI has jurisdiction during this period.

2. That on or about August 1, 1974, Special Agent Brian H. Corliss of the New York Office of the FBI received information from Marc Sultan, a New York City police officer, that an individual identified as Stanley Learner intended to transport in interstate commerce, via a common carrier, to wit, Northwest Orient Airlines, a Gerard Damiano directed, 35 millimeter film entitled "Memories Within Miss Aggie" to Hawaii.

3. Officer Sultan advised Special Agent Corliss as to the following information regarding the shipment of the film and Stanley Learner's itinerary, which he (Sultan) personally obtained from discussions with Learner on July 31, 1974, in Queen's, New York:

Stanley Learner is to depart Queen's New York on August 5, 1974, and travel to Newark, New Jersey; Detroit, Michigan; Minneapolis, Minnesota; Missoula, Montana; Seattle, Washington; and Honolulu, Hawaii. Learner is to have in his possession copies of a film entitled "Memories Within Miss Aggie", which he will sell to various theater representatives for approximately \$25,000 per copy. Learner will depart his residence at 98-20 62nd Drive, Rego Park, Queen's, New York, at approximately 5:00 a.m. on August 5, 1974, and will travel to the Newark, New Jersey Airport, United Airlines Terminal, however, will depart from Newark on United Flight

249 arriving in Detroit, Michigan on the same date. Learner will depart Detroit, Michigan on August 5, 1974 aboard Northwest Orient Airlines Flight No. 515 arriving in Minneapolis, Minnesota on the same date. Learner will depart Minneapolis, Minnesota on August 5, 1974 aboard Northwest Orient Airlines Flight No. 109 arriving in Missoula, Mont. on the same date. Learner will depart Missoula, Montana on August 6, 1974 aboard Northwest Orient Airlines Flight No. 603 arriving in Seattle, Washington on the same date. Learner will depart Seattle, Washington on August 6, 1974 aboard Northwest Orient Airlines Flight No. 87 arriving in Honolulu, Hawaii at 11:50 a.m. on August 6, 1974. Learner will stay in Honolulu, Hawaii until his departure at 9:30 p.m. on August 7, 1974, when he will depart via United Airlines Flight No. 992 arriving in Newark, New Jersey at 2:35 p.m. on August 8, 1974. This police officer has advised that Stanley Learner will be in possession of in excess of \$100,000 at the time he arrives in Honolulu, Hawaii.

4. On the morning of August 2, 1974, Agent Corliss corroborated the information provided by Sultan by telephonically contacting Supervisor Weingarten of United Airlines, New York City, who confirmed that Learner had reserved^a flight from Newark, New Jersey at 7:00 a.m. Monday, August 5, 1974, to Detroit, Michigan with connections via Northwest Orient Airlines to Minneapolis, Minnesota and Missoula, Montana. Learner would fly from Missoula, Montana on August 5, 1974 to Seattle, Washington and Honolulu, Hawaii. Weingarten additionally provided flight numbers.

5. That on August 2, 1974, Special Agent Brian H. Corliss and Special Agent Forrest W. Dahlstedt observed the Gerard Damianos directed film entitled "Memories Within Miss Aggie" at the World Theater, 49th Street, New York City, New York. These Agents have advised the affiant that the film is

as follows:

It is the story of an elderly Caucasian female who lives alone in an isolated farmhouse, during winter time. The film's main character is identified as Miss Aggie and the first scene depicts her wandering through a deserted farmhouse talking to a mummified corpse of a man she killed at some unknown time prior. In a series of flashbacks, she relives her sex life.

In the first sexual scene, she is a young blond who seduced a country boy to her deserted farmhouse. They both strip nude and the man performs cunnilingus. The female actress then performs fellatio. This scene is graphic, explicit with close-ups of penetration. After mutual oral sex, intercourse is performed and ejaculation is shown. Upon completion of this scene there is a return to the present with more wandering by Miss Aggie and babblings.

In the next flashback scene, Miss Aggie is a young black haired woman in what is apparently a second-story loft adjacent to the main farm building. She is dressed in a red silk dress which is open in the front revealing her breasts and vaginal area. There is a bed in the loft upon which she sits while caressing the front of her body with a small doll. She rubs the doll on her breasts and then masturbates with the doll. Close-up photography depicts the actual insertion. During this scene, a truck arrives at the farmhouse, and it is driven by an actor known to the observing Agents as Harry Reems. Reems is portraying a farmer with a load of hay to deliver. The female opens the loft doors and stands in the open doorway. Reems climbs a ladder to the loft and they both sit on a bed and talk. She caresses his genital area. Reems removes his clothes and Miss Aggie performs fellatio on Reems. They then engage in sexual intercourse with close-ups shown. Reems then engages in anal intercourse with Miss Aggie and

ejaculates on her back. The movie then flashes back to the present with more idle talk with the corpse.

There is another flashback to the past and it appears that Miss Aggie is working in a house of prostitution. She is a blond wearing only a waist corset, black silk stockings and high heels while lying on a bed. There is a fully clothed man seated in the corner, and he watches while Miss Aggie caresses her naked breasts and vaginal area. She orally begs him to have intercourse, and he remains seated while she masturbates and penetrates her vagina and anus with her finger. Miss Aggie performs sexually enticing body girations and orally pleads with the male. The scene then cuts to Miss Aggie and the male both naked in bed, at which time she performs an act of fellatio. The scene closes when she drools out the ejaculate onto his body.

The next scene depicts Miss Aggie in an empty church where she exits and meets a man in an adjacent cemetery. She invites him home and murders him after enticing him to take her to bed. At this point the movie ends.

The movie lasts approximately 75 minutes. The film is a 35mm film in color.

6. On August 5, 1974, Special Agent Roger Lyster and Special Agent Joseph Ross, Newark, New Jersey Office of the FBI advised affiant that they observed Stanley Learner aboard United Airlines Flight No. 249 at the Newark, New Jersey Airport. Stanley Learner checked two cardboard boxes through to Detroit, Michigan and received baggage claim tickets numbered 304068 and 304069. Stanley Learner checked two cardboard boxes through to Missoula, Montana with baggage claim tickets numbered 003993 and 003994. In addition, a film box was checked through to Missoula, Montana with claim number 003996 as was a suitcase with claim number 003995.

Special Agents Lyster and Ross made inquiry with the

United Airlines information office in Newark, New Jersey at which time they determined that Stanley Learner's itinerary and travel plans are identical to those furnished by Officer Marc Sultan, with the exception that Stanley Learner has reservations with United Airlines to return on August 7, 1974 from Honolulu, Hawaii, via United Airlines Flight No. 992 arriving in Newark, New Jersey at 11:40 a.m. with a stop-over in Chicago, Illinois.

7. Special Agents James H. Collins, Jr. and Richard V. Egelston of the Detroit Office of the FBI advised the affiant that Stanley Learner was observed by those Agents at 8:31 a.m. on August 5, 1974 arriving at the Detroit, Michigan Airport aboard United Airlines Flight No. 249. Learner departed the aircraft carrying one brown and one gray briefcase and attempted to make telephonic contact with Gail Film Distributors through the information operator at a telephone booth located in the area of the United Airlines baggage claim. These Special Agents, thereafter, observed Learner contacting an unidentified white male at the baggage claim area at which time Stanley Learner turned over two cardboard cartons each approximately three feet by two feet by six inches to this individual after obtaining them from United Airlines baggage claim area. These two cartons were placed in the trunk of a vehicle bearing a 1974 Michigan license number HXH255. Stanley Learner was observed by Special Agents to board Northwest Orient Airlines Flight No. 515 at approximately 9:43 a.m. on August 5, 1974 for departure to Minneapolis, Minnesota.

8. The affiant further states that he has been advised by Special Agent Lawrence W. Levine of the Detroit Office of the FBI that Gail Film Distributors is operated by Arthur Weisburg who has been the subject of an investigation involving possible violations of the Interstate Transportation of Obscene Materials Statutes.

9. Special Agent Donald Schlaefer of the Minneapolis Office of the FBI advised that a white male, matching the description of Stanley Learner, carrying a dark attache' case, arrived at the Minneapolis Airport on Northwest Orient Airlines Flight No. 515 at 10:25 a.m. on August 5, 1974; and departed from the same airport at 1:25 p.m. on Northwest Orient Airlines Flight No. 109.

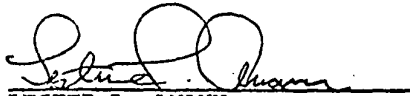
10. Special Agent Albert Murphy, Jr., of the Missoula Office of the FBI informed your affiant that a man matching the description of Stanley Learner arrived at the Missoula Airport on August 5, 1974 at 5:57 p.m. carrying a dark grey attache' case and a dark blue flight bag, and departed from Missoula on Northwest Orient Airlines Flight No. 603 bound for Seattle, Washington on August 6, 1974 at 7:50 a.m. (MST).

11. Special Agents John Detlor and Robert Fuhrman of the Seattle Office of the FBI informed your affiant that a man matching the description of Stanley Learner departed (8/6/74) from Seattle on Northwest Orient Airlines Flight No. 87 at 9:45 a.m. (PST), while carrying a dark grey attache' case, which flight was bound for Honolulu, Hawaii.


12. That the Northwest Orient Airlines is a common carrier operating in interstate commerce.

13. Based on the foregoing, your affiant is positive that the above described Stanley Learner will arrive in Honolulu, Hawaii aboard Northwest Orient Airlines Flight No. 87 at approximately 11:50 a.m. on August 6, 1974 and that he will have in his care, custody, or control the film entitled "Memories Within Miss Aggie", which items being transported in violation of Title 18, United States Code, Section 1465.

Further affiant sayeth naught.


LESTER L. AMANN
Special Agent, FBI

SUBSCRIBED and SWORN to before me
this 6 day of August, 1974.


HAROLD R. SULLIVAN
United States Magistrate

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/9/74

Special Agents (SAs) [redacted] and [redacted] were present at Gate 11, Honolulu International Airport, at approximately 12:15 p.m. on August 6, 1974, to observe the arrival of Northwest Orient Airlines Flight 87. An individual who was subsequently determined to be [redacted] was observed exiting from the aircraft, boarding a bus and going to the baggage claim area of the airport. [redacted] was observed in the baggage claim area for approximately 45 minutes in the vicinity of baggage claim carousel No. 9.

[redacted] was carrying, in his possession, a toiletry kit and a briefcase.

[redacted] was observed to depart the baggage claim area and walk to the area directly in front of the terminal, at which time he was placed under arrest by SA [redacted]. He was immediately advised of the identity of the arresting Agents and the nature of the offense, and he was removed to a Bureau automobile located in the vicinity of the terminal by SAs [redacted] and [redacted].

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A preliminary search was conducted on his person and the grey briefcase and toiletry kit.

Upon entering the Bureau automobile, he was provided with the form entitled, "Interrogation; Advice of Rights," which he read, acknowledged his understanding of and signed. He was thereafter transported by Bureau automobile to the Honolulu Office of the FBI.

Interviewed on 8/6/74 at Honolulu, Hawaii File # HN 145-189
by SA [redacted] SA [redacted] Date dictated 8/9/74
LLA/keh - 24 -

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 8/12/74

[] was interviewed in the Honolulu Office of the FBI and was advised of the identity of the interviewing Agents through the display of credentials. He was reminded that he had previously signed a form entitled, "Interrogation; Advice of Rights." He acknowledged he had signed such a form and desired to voluntarily talk with the interviewing Agents.

Prior to discussing this matter with the interviewing Agents, a search was conducted of his person, which included a wallet, a gray briefcase and a toiletry kit. No items were taken from the toiletry kit, and it was determined that the gray briefcase contained numerous coins and items of currency which were part of a coin and currency collection which [] claimed belonged to him.

The following is a list of those items seized from [] for evidentiary reasons:

One card for Yuclan International, Inc.;

Three baggage claim checks;

One Newark Airport auto claim check, #22-827;

One United Air Lines ticket receipt, #01684157269221;

One set of keys;

One paid room voucher for Sheraton-Waikiki Hotel;

One airline ticket issued by United Air Lines,
#01684157269233;

One Holiday Inn envelope containing a Yellow Cab receipt, two meal receipts, one sheet of Northwest Orient paper and one Holiday Inn receipt, all from Missoula, Montana;

Interviewed on 8/6/74 at Honolulu, Hawaii File # HN 145-189

by SAs []
& [] LLA:keh - 25 - Date dictated 8/12/74

HN 145-189

2

One sheet of paper listing [redacted]

[redacted];

Two Inish Kae, Ltd., cards.

During the interview, [redacted] advised he is employed by Inish Kae, Ltd., which is an "X-rated" movie production company. He stated the following individuals are members of this company, but he does not necessarily know their exact title:

GERARD DAMIANO, who directs the films;

[redacted] who appears to be a business manager;

PHIL PARISI, who is his immediate supervisor.

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b7C

[redacted] stated he has worked for this company since about the middle of May 1974. He stated his brother, [redacted] got him a job as a movie theater checker, for which he was paid \$4 an hour. He stated he performed this function for approximately one month and, since that time, has been traveling to different movie theaters in the United States delivering films for the company. He stated he has delivered films to Boston, Massachusetts; Lewistown, Pennsylvania; State College, Pennsylvania, and also to places in Connecticut and New Jersey.

Regarding this trip, he advised he was requested by PARISI to deliver two copies of the film "Memories Within Miss Aggie" to Detroit, Michigan, one copy to Missoula, Montana, and two copies to Honolulu, Hawaii. He stated that arrangements were made for him through a travel agency, and he left his residence in New York on the morning of August 5, 1974, and drove to the Newark, New Jersey, Airport, where he boarded a flight to Detroit, Michigan.

Upon his arrival in Detroit, he was met at the airport by an individual with the last name of [redacted] who was a young male and a representative of Gail Film Distributors. He gave this individual two 35 mm. copies of the above film. He thereafter boarded an aircraft to Minneapolis, Minnesota, and

HN 145-189

3

again changed aircrafts in Minneapolis, arriving in Missoula, Montana. In Missoula, he delivered one copy of the film to an individual at the Wilma Building.

In this regard, [] stated he has a card containing the names and addresses of the people he was supposed to contact in Montana in a pair of slacks which is in his luggage.

[] stated he spent the night at the Holiday Inn in Missoula and departed for Seattle, Washington, where he changed planes to come to Hawaii.

[] provided a card which he stated contained the name of the individual to whom he was supposed to deliver the two films, one 35 mm. and one 16 mm. The card, which was seized from his wallet, contained the following:

"Yuclan International, Inc.
Subsidiary of Yuclan Enterprises, Inc.

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[]
President and General Manager
94-897 Waipahu Street
Waipahu, Hawaii
Phone 671-3959
808-677-9511

Rex Theater
The 1000 Cedar in Downtown Honolulu
Waipahu Theater
The Triplex in the Suburbs"

With regard to his travel to Hawaii, he stated that on Friday, August 2, 1974, he was given a check for \$250 to be used as expense money for the trip. He stated the check was signed by both GERARD DAMIANO and []. He stated he took this check and cashed it at the Marine Midland Bank at 46th Street and Vanderbilt Avenue, New York City.

[] advised he had no objection to the Agent searching his luggage which had been delayed in Seattle, and he thereafter signed a form consenting to have this luggage searched by Agents of the FBI.

HN 145-189

4

The following description of [] was obtained through observation and interview:

Sex:	Male
Race:	Caucasian
Date of Birth:	[]
Place of Birth:	Queens, New York
Height:	5'2"
Weight:	130 lbs.
Eyes:	Brown
Hair:	Brown
Build:	Medium
Characteristics:	Wears mustache
Social Security Account No.:	[]
Prior Arrests:	None
Residence Address:	[]
	Rego Park, New York

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/9/74

[redacted] Service Manager, Northwest Orient Airlines, Honolulu International Airport, advised that they received information from their Seattle Office that [redacted] three pieces of baggage were mis-routed in Seattle and, consequently, were being shipped by Pan American Airways aircraft at 10:05 p.m.

[redacted] advised that [redacted]'s baggage would be forwarded to the Northwest Orient Airlines office in the morning of August 7, 1974, as Northwest offices would close prior to 10:00 p.m. He indicated that [redacted]'s baggage could be claimed at the Northwest office at 8:30 a.m. on August 7, 1974.

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Interviewed on 8/6/74 at Honolulu, Hawaii File # HN 145-189

by SA [redacted]/keh - 29 - Date dictated 8/9/74

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/9/74

[redacted] Service Manager, Northwest Orient Airlines, Honolulu International Airport, was contacted by Special Agents [redacted] and [redacted]. He was advised of the identity of the interviewing Agents through the display of credentials, and a consent to search signed by [redacted] and Northwest Orient claim check numbers 461-760, 461-761 and 461-762 were displayed to him. He thereafter released three pieces of baggage to the interviewing Agents, whose claim checks corresponded with the numbers given above.

The three pieces of baggage consisting of a hanging clothes bag, a film case and a cardboard box were taken by Bureau automobile to the Honolulu Office of the FBI.

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Interviewed on 8/7/74 at Honolulu, Hawaii File # HN 145-189
by SA [redacted] & LLA/keh - 30 - Date dictated 8/9/74

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 8/9/74

A search was conducted at the Honolulu Office of the FBI by Special Agents [redacted] and [redacted]. A search was conducted of three items:

- (1) A blueish-grey hanging clothes bag
- (2) A film case containing two reels of 16 mm. film
- (3) A cardboard box containing four reels of 35 mm. film

The search of the hanging clothes bag disclosed numerous articles of personal clothing belonging to [redacted]. The only item seized from this hanging clothes bag was a sheet of paper which was located in the pants pocket of a pair of denim trousers. The sheet of paper contained the following writing:

"Roxy Theater, Missoula, Montana,
Manager [redacted]

Contract to be signed by [redacted]
Wilma Building, Missoula."

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In addition, the following was written and then crossed out on the piece of paper:

"Both copies to be signed and returned to"

The second item was a film container, grey in color, and had black cloth stripes. It measured 15"x15"x2", and attached thereto was Northwest Orient baggage claim check No. 461-760. Inside the film case were two reels of 16 mm. film which [redacted] identified as the movie, "Memories Within Miss Aggie." The film reels and film and the baggage claim check were appropriately marked for identification purposes.

Interviewed on 8/7/74 at Honolulu, Hawaii File # HN 145-189

SA
SA

by [redacted] LLA:keh - 31 - Date dictated 8/9/74

HN 145-189

2

The third item, the cardboard box mentioned above, measured 15"x15"x8". It was brown in color and marked with black felt ink as follows: "INISH KAE, 2W 45ST, A/C Memory CO, C17487-M44541." Also marked on the box was the word "New" with a red circle around it and "On/8" with a circle around it. This box was tied together with a white fibrous rope and had Northwest Orient Airlines claim number, marked "HNL Flight 603/87, Claim No. 461-762."

Contents of the box were four 35 mm. film reels and film. The leader of these films was marked as follows:

"Reel 1, Subject: Atlantic Memory Film BEG"

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"Reel 2, SUST., Atlantic Film, Subject: Memory, BEG"

"Reel 3, Atlantic Film, Subject: Memory, BEG, Picture"

"Memories, R4, Atlantic Film, Reel 4, Memory"

The entire search was conducted in the presence of [redacted] who had previously signed a form bearing number FD-26.

HN 145-189

On August 7, 1974, [] appeared before U. S. Magistrate HAROLD R. SULLIVAN, Honolulu, and was released on a \$10,000 signature bond. At the time of his appearance, a superseding complaint was filed charging [] with violation of U. S. Code, Title 18, Sections 1462 and 2. A copy of this superseding complaint is as follows:

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SUPERSEDING

Complaint

United States District Court

FOR THE

DISTRICT OF HAWAII

UNITED STATES OF AMERICA

v

STANLEY LEARNER

Magistrate's Docket No. 74-135M3

SUPERSEDING Case No.

COMPLAINT for VIOLATION of

U.S.C. Title 18

Sections 1462 & 2

BEFORE HAROLD R. SULLIVAN

Name of Magistrate

Rm 322, Federal Bldg., Honolulu, HI

Address of Magistrate

The undersigned complainant being duly sworn states:

That on or about August 6, 19 74, at Honolulu International Airport

in the

District of HAWAII

(1) STANLEY LEARNER knowingly did use and cause to be used Northwest Orient Airlines, a common carrier, for carriage in interstate commerce from the State of Washington to the State of Hawaii, by an agent of Northwest Orient Airlines, to wit, Pan American Airlines, also a common carrier, copies of an obscene, lewd, lascivious and filthy film entitled "Memories Within Miss Aggie" in violation of Title 18, United States Code, Sections 1462 and 2.

And the complainant states that this complaint is based on the information contained in the appended affidavit of Special Agent Lester L. Amann.

APPROVED:

HAROLD M. FONG, U.S. Attorney

By

WILLIAM C. MCCORRISTON

Assistant U. S. Attorney

~~AND THE COMPLAINANT FURTHER STATES THAT HE BELIEVES THAT~~

~~are material witnesses in relation to this charge~~

LESTER L. AMANN
Special Agent, FBI

Signature of Complainant.

Sworn to before me, and subscribed in my presence, August 19 74 Official Title.

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United States Magistrate.

(1) Insert name of accused.

(2) Insert statement of the essential facts constituting the offense charged.

HN 145-189

On August 7, 1974, [] was interviewed briefly
by AUSA WILLIAM C. MCCORRISTON, District of Hawaii.

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/12/74

On August 7, 1974, the film entitled, "Memories Within Miss Aggie," 16 mm., two reels, which lasted approximately 1 hour and 15 minutes, was shown in the office of Assistant United States Attorney (AUSA) WILLIAM C. MCCORRISTON. The film was viewed by AUSA MCCORRISTON and AUSA WARREN H. HIGA.

The film contained the same scenes as viewed by the New York Agents of the FBI as set forth in their summary previously furnished on August 5, 1974.

Interviewed on 8/7/74 at Honolulu, Hawaii File # HN 145-189
by SA & LLA:keh - 36 - Date dictated 8/12/74

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/12/74

[redacted] was accompanied to the office of Assistant United States Attorney (AUSA) WILLIAM C. McCORRISTON. At that time, [redacted] was interviewed by AUSA McCORRISTON and, during the course of the interview, was served by Special Agent [redacted] with a subpoena to appear before the Federal Grand Jury at Honolulu on August 9, 1974.

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b7C

Interviewed on 8/8/74 at Honolulu, Hawaii File # HN 145-189by SA [redacted]/keh - 37 - Date dictated 8/12/74

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/12/74

[redacted] telephonically contacted Special Agent [redacted] at approximately 11:30 p.m., August 8, 1974, and advised as follows:

He had contacted unknown individuals at the Waipahu Theater in an effort to deliver the films but was told that an article appeared in the Honolulu newspaper indicating he had been arrested for bringing the films to Hawaii. He stated in view of this the individuals did not want to deal with him.

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Interviewed on 8/8/74 at Honolulu, Hawaii File # HN 145-189
by SA [redacted]/keh - 38 - Date dictated 8/12/74

HN 145-189

On [redacted] [redacted] accompanied
SA [redacted] to the Federal Building, Honolulu, where
he appeared before the Federal Grand Jury in session.

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 8/12/74

[] advised Special Agent [] [] he had contacted Inish Kae, Ltd., in New York by telephone on August 9, 1974, and that the individuals there would not talk to him over the phone. The entire conversation took place via a secretary. He stated he explained what had happened to him and was told by the secretary to leave the films and not bring them back to New York.

[] advised he has no use for the films, and he therefore requested that the FBI and/or the United States Attorney's Office in Hawaii maintain custody of them.

[] stated he is leaving Honolulu that evening and returning to New York. He advised his home phone number in New York City is []

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Interviewed on 8/9/74 at Honolulu, Hawaii File # HN 145-189
by SA [] /keh - 40 - Date dictated 8/12/74

HN 145-189

On August 8, 1974, AUSA WILLIAM C. McCORRISTON, supra, advised he had discussed this matter with the U. S. Department of Justice and has decided that [] should be utilized as a witness in any forthcoming prosecution. He stated that [] will be requested to testify before the Federal Grand Jury at Honolulu, Hawaii, on August 9, 1974, and thereafter the complaint against [] will be dismissed.

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b7c

AUSA McCORRISTON stated that the Department of Justice feels this matter can be better prosecuted at Missoula, Montana, because of local sentiment, jury appeal and other reasons more favorable to the Government's position.

The following article appeared in the August 8, 1974, edition of the Honolulu Star-Bulletin, a daily newspaper:

Film Seized at Airport

By Harriet Gee
Star-Bulletin Writer

A nationwide investigation by the Federal Bureau of Investigation resulted in the arrest here Tuesday of a New York City man for alleged interstate transportation of obscene matter.

Stanley Learner was arrested at Honolulu Airport upon his arrival from Seattle, Wash. A search of his luggage turned up two copies of the movie, "Memories Within Miss Aggie."

Each copy reportedly is selling for \$25,000.

Learner's arrest is the first stemming from the investigation.

A reliable source said the local federal grand jury will be called into session soon to consider returning indictments against the persons responsible for sending Learner to Hawaii with the films.

The movie, "Memories Within Miss Aggie," was made by the same New York company which produced "Deep Throat" and

"The Devil in Miss Jones." Learner is employed by the company.

The film is now being shown in New York and Montana.

Learner was arraigned on the charge, a felony, before U.S. Magistrate Harold Sullivan yesterday and then released on a \$10,000 signature bond.

He is scheduled to receive a preliminary hearing before Sullivan at 10 a.m. Aug. 16.

Learner was arrested on a complaint signed by Sullivan.

HN 145-189

The following article appeared in the August 9, 1974, edition of the Honolulu Advertiser, a daily newspaper:

Man won't be tried here

A man arrested here Tuesday on a local Federal warrant charging him with interstate transportation of obscene movies will not be tried in Hawaii, the U.S. Attorney's office said yesterday.

"It won't be here. I can say that much but we're not prepared yet to say publicly where on the Mainland it will be," said deputy U.S. Attorney William McCorrison.

McCORRISTON said the order for the arrest came from Washington, D.C., and a complaint was signed here by U.S.

Magistrate Harold Sullivan.

Arrested on arrival at Honolulu Airport from Seattle was Stanley Learner, 30, of New York. FBI agents reported finding two copies of the movie, "Memories Within Miss Aggie", in his luggage.

The movie was made by the same New York firm that made "Deep Throat" and "The Devil in Miss Jones," both now showing here. Learner was freed on a \$10,000 signature bond pending a hearing Aug. 16.

HN 145-189

On August 9, 1974, the following letter was received at the Honolulu Office of the FBI:

United States Department of Justice

UNITED STATES ATTORNEY

DISTRICT OF HAWAII
320 FEDERAL BUILDING
P. O. Box 654
HONOLULU, HAWAII 96809

August 9, 1974

[redacted] Esq.
Suite 1500, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

Re: USA v. [redacted]

Dear [redacted]

This letter is to inform you that the above-referenced subject will not be prosecuted for the interstate transportation of the film "Memories Within Miss Aggie" [redacted]

b3 Rule 6(e)
b6
b7C

Thank you for your cooperation in this matter.

Very truly yours,

HAROLD M. FONG
United States Attorney
District of Hawaii

By WILLIAM C. MCCORRISTON
Assistant U.S. Attorney

WCM:bm

cc: FBI, Honolulu, Hawaii

NITEL

8/21/74

1 - Mr.
1 - Mr.

"MEMORIES WITHIN MISS AGGIE," MOTION PICTURE FILM:

OO: NY.

RENYTEL TO ALL RECEIVING OFFICES 8/2/74.

THE DEPARTMENT HAS REQUESTED RESULTS OF ALL INVESTIGATION CONDUCTED IN THIS MATTER SO THE PROSECUTIVE POTENTIAL OF THIS CASE CAN BE PROMPTLY EVALUATED. THE DEPARTMENT HAS CONTACTED THE USA'S OFFICE FOR THE STATE OF MONTANA WITH TENTATIVE PLANS TO PURSUE PROSECUTION AT MISSOULA, MONTANA, UNDER THE ITOM STATUTE. IF NOT ALREADY DONE, BUTTE INTERVIEW MANAGERS AND OWNERS OF ROXY AND WILMA THEATERS AT MISSOULA REGARDING [] VISITS TO EACH ON 8/5/74. BUTTE ALSO DETERMINE IF FILM "MEMORIES WITHIN MISS AGGIE" WAS DELIVERED BY [] AND IF IT HAS BEEN SHOWN.

Dir. _____
AD Adm. _____
AD Inv. _____
Dir.: _____
_____ Syst. _____
Affairs _____
& Com. _____
Inv. _____
_____ tion _____
_____ tory _____
Eval. _____
Inv. _____
_____ g _____
_____ un. _____
_____ Rm. _____
ec'y _____

JEO:sls
(4) sls

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 21 1974

6:15 p WGM
TELETYPE

AUG 29 1974
MAIL ROOM

TELETYPE UNIT ☒

SEE NOTE PAGE 2.

145-5494-12
AUG 22 1974

TELETYPE TO SACS, BUTTE, DETROIT, ET AL.;
RE: "MEMORIES WITHIN MISS AGGIE";

ALL OFFICES IMMEDIATELY FORWARD RESULTS OF INVESTIGATION TO NEW YORK. NEW YORK THEREAFTER PROMPTLY SUBMIT REPORT FOR DISSEMINATION TO THE DEPARTMENT.

b3 Rule 6(e)
b6
b7C

NOTE: Subject [] flew to cities covered by each of receiving Offices from New York to Honolulu, 8/5-6/74, delivering obscene film "Memories Within Miss Aggie." [] arrested by Honolulu Office on ITOM charges 8/6/74; however, [] returned to New York and is [] Prior investigation by New York Office has shown connection between film producer Gerard Damiano and the Columbo LCN family. Department has requested reports be promptly furnished to evaluate prosecutive potential, possibly at Missoula, Montana.

AIRTEL

To: SAC, New Haven

8/23/74

From: Director, FBI

1 - Mr. [REDACTED]

1 - Mr. [REDACTED]

"MEMORIES WITHIN MISS AGGIE."

MOTION PICTURE FILM:

GERARD DAMIANO DIRECTOR;
[REDACTED] COURIER;

ITOM

OO: NY

b6
b7C

ReButel to New York, et al., 8/21/74, (no copies for New Haven) and Butelcal to New Haven, 8/22/74.

Department has requested ITOM investigation be promptly initiated regarding showing of captioned film in Connecticut. If not already done, AUSA Peter Near should be contacted concerning prosecutive direction he has telephonically been furnished by the Department. New York immediately furnish New Haven with appropriate background information to handle.

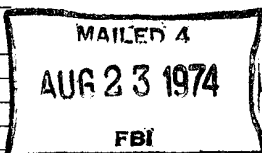
Bureau should be kept advised of all pertinent developments on a timely basis in a form suitable for dissemination.

2 - New York (145-3670)

JEO:sls
(7)sls

NOTE: New York initiated ITOM investigation relative to recently produced obscene film "Memories Within Miss Aggie" directed by Gerard Damiano who also directed "Deep Throat" and "The Devil in Miss Jones." Prior investigation by New York Office has shown connection between Damiano and Columbo LCN family. Department has expressed considerable interest in prosecuting this matter under ITOM Statutes and has requested appropriate investigation be conducted in Connecticut where film currently being shown.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____



REC-31

ST 104

JNE/DOF

145-5494-13
AUG 23 1974

MAIL ROOM ☐ TELETYPE UNIT ☐

F B I

Date: 8/26/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, HONOLULU (145-189) (P)

SUBJECT: GERARD DAMIANO;
ET AL
ITOM
(OO: NY)

Re Honolulu report of SA [redacted] 8/12/74
and Bureau teletype to Honolulu, 8/21/74 captioned "Memories
Within Miss Aggie, Motion Picture Film; GERARD DAMIANO,
Director; [redacted] Courier; ITOM; OO: New York."

On 8/26/74, AUSA WILLIAM C. MCCORRISTON, Honolulu,
Hawaii, advised that he has received a request that one of the
two copies of the film in this matter currently being maintained
by the Honolulu Office be forwarded to:

U.S. Department of Justice
Government Regulations Section
Attention: [redacted]

Accordingly, AUSA MCCORRISTON was advised that the
16mm copy of "Memories Within Miss Aggie" will be forwarded
to FBIHQ for delivery to Mr. [redacted]. AUSA MCCORRISTON
additionally requested that the film be forwarded in an
expeditious manner.

- 3 - Bureau
(1 - via package)
1 - Butte (Info) (145-195)
1 - New York (Info) (145-3670)
1 - Honolulu
LLA:eso (6)

REC-63

145-5494-14
AUG 30 1974

SEP 1 1974
Special Agent in Charge

Sent _____ M Per _____

HN 145-189

Accordingly, the 16mm film (two reels in a film case) are being forwarded via air freight.

The Bureau is requested to provide this film to Mr. Government Regulations Section. It should be noted it has previously been appropriately marked for evidentiary purposes.

b6
b7C

Information copies being furnished the Butte and New York Offices in view of their investigative interest in this matter.

F B I

Date: 8/27/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, DETROIT (145-805) (P)

GERARD DAMIANO;
 [REDACTED]
 PHIL PARISI;
 dba
 INISH KAE, LTD.
 2 West 45th Street
 New York, New York;
 Motion Picture Film
 "Memories Within Miss Aggie";
 [REDACTED] (NMN) [REDACTED]
 ITOM
 OO: NEW YORK

b6
b7C

Re Honolulu report of SA [REDACTED] 8/12/74;
 Bureau teletype to Butte, 8/21/74, entitled "MEMORIES WITHIN
 MISS AGGIE." MOTION PICTURE FILM; GERARD DAMIANO - DIRECTOR;
 [REDACTED] - COURIER; ITOM; OO: NEW YORK.

On 8/23/74, AUSA WILLIAM C. IBERSHOF, EDM, Detroit, Michigan, advised that after consultation with the Justice Department, he was rescinding his prior declination regarding the film "Memories Within Miss Aggie" pending results of additional investigation which he requested of the Detroit Division. AUSA IBERSHOF requested he be advised of the results of subject [REDACTED] Federal Grand Jury testimony at [REDACTED] and specifically requested that [REDACTED] be interviewed in depth regarding his original acquisition of the film, "Memories Within Miss Aggie."

b3

- 2 - Bureau
- 3 - Butte (145-195)
- 2 - Honolulu (145-189)
- 2 - New York (145-3670)
- 4 - Detroit
 - (1 - 145-751)
 - (1 - 145-712)

LWL/cgp
 (13)

REC-75

145-5494-15
 15 AUG 29 1974

EX-111

Approved: [Signature]
 OCT 2 1974
 Special Agent in Charge

Sent _____ M Per _____

DE 145-805

LEADS:

BUTTE

AT MISSOULA, MONTANA

Will advise Detroit of AUSA's prosecutive opinion in this matter.

HONOLULU

AT HONOLULU, HAWAII

Will advise Detroit of results of [] appearance before Federal Grand Jury.

NEW YORK

AT NEW YORK, NEW YORK

1. Will provide Detroit with copies of report being prepared by the New York Office.

2. Will interview [] regarding details of original acquisition of film "Memories Within Miss Aggie."

b6
b7C

DETROIT

AT OAK PARK, MICHIGAN

Will interview (FNU) []
[], whom subject [] contacted at
Detroit Metropolitan Airport.

AT DETROIT, MICHIGAN

Will maintain contact with AUSA IBERSHOF regarding prosecutive opinion.

F B I

Date: 8/27/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (145-)

FROM: SAC, NEW YORK (145-3670) (P)

SUBJECT: GERARD DAMIANO;
ET AL
MOTION PICTURE FILM
"MEMORIES WITHIN MISS AGGIE"
ETC.
ITOM
(OO:NY)

On 8/26/74, [] was recontacted by SA [] at New York City. [] stated that as a result of the recent inquiry made in Honolulu by a California lawyer regarding his arrest, it was felt by the attorney that [] would now be a "target" of an FBI investigation. It was, therefore, recommended that [] employment be terminated.

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b7c

[] was advised on 8/23/74, when he went to the office of Inish Kae, Limited, 2 West 45th Street, New York City, to pick up his weekly pay check that he was fired.

In view of the above, it appears that [] will no longer be in a position to provide information regarding these activities.

2 - Bureau
2 - Butte (145-195)
1 - New York

REC-59

145-5494-16
AUG 29 1974

BHC:jtc
(6)
cc: AAG(ED) SENT 8-24-74
8/30/74 JEdelw

EX-111

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN NEW YORK	DATE AUG 26 1974	INVESTIGATIVE PERIOD 8/1/74 - 8/14/74
TITLE OF CASE GERARD DAMIANO; [REDACTED] PHIL PARISI dba INISH KAE, LTD., 2 WEST 45TH STREET, NEW YORK, NEW YORK; MOTION PICTURE FILM "MEMORIES WITHIN MISS AGGIE"; [REDACTED] (NMN) [REDACTED]		REPORT MADE BY [REDACTED]	TYPED BY cer
		CHARACTER OF CASE ITOM	3 10 8 5 1

REFERENCES

New York teletype to the Bureau, 8/2/74.
 New York teletype to Butte, 8/3/74.
 Newark teletype to the Bureau, 8/5/74.
 Detroit teletype to the Bureau, 8/5/74.
 Minneapolis teletype to New York, 8/5/74.
 Butte teletype to New York, 8/5/74.
 Honolulu teletype to Bureau, 8/5/74.
 Honolulu teletype to New York, 8/5/74.
 Butte teletype to the Bureau, 8/6/74.
 Detroit teletype to Honolulu, 8/6/74.
 Butte teletype to the Bureau, 8/6/74.
 Seattel teletype to the Bureau, 8/6/74.
 Honolulu teletype to the Bureau, 8/6/74.
 New York teletype to Honolulu, 8/6/74.

(REFERENCES Cont'd Cover Page B)

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES				
APPROVED COPIES MADE:					SPECIAL AGENT IN-CHARGE			DO NOT WRITE IN SPACES BELOW
② Bureau 1 - USA, EDNY 1 - Boston (145-580) (INFO) 3 - Butte (145-195) (1 - USA, Missoula) 2 - New York (145-3670) 1 - USA EDNY					145-3041 145-3494-17 SEP 3 1974			REG-52 104
Dissemination Record of Attached Report					Notations			
Agency	ICC EDNY AAG (CO) ICC - BUTTE				DATA PROC			
Request Recd.	9-24-74 JAL/aw							
Date Fwd.	9-10-74							
How Fwd.	TAP/aw							

NY 145-3670

REFERENCES (Continued)

Honolulu teletype to New York, 8/7/74.
Butte airtel to New York, 8/7/74.
Honolulu airtel to Newark, 8/7/74.
Minneapolis airtel to New York, 8/7/74.
Seattle airtel to New York, 8/7/74.
Newark airtel to Honolulu, 8/7/74.
Butte airtel to New York, 8/8/74.
Honolulu teletype to the Bureau, 8/8/74.
Honolulu teletype to the Bureau, 8/9/74.
Honolulu report of SA [redacted] 8/12/74.
Butte teletype to New York, 8/13/74.
New York teletype to Butte, 8/14/74.
Honolulu teletype to Butte, 8/14/74.
Newark airtel to New York, 8/14/74.
Detroit airtel to New York, 8/15/74.

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- P -

ADMINISTRATIVE

Information copy being furnished to Boston in view of pending investigation at Providence, Rhode Island.

LEADS

BUTTE

AT MISSOULA, MONTANA. Follow for prosecutive action.

NEW YORK

AT NEW YORK, NEW YORK. Will maintain source contact.

- B* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:
Date:

BRIAN H. CORLISS

Office: New York, New York

Field Office File #:

145-3670

Bureau File #:

Title:

GERARD DAMIANO;
[REDACTED]

PHIL PARISI

Doing Business As
INISH KAE, LIMITED

2 WEST 45TH STREET

NEW YORK, NEW YORK

MOTION PICTURE FILM

"MEMORIES WITHIN MISS AGGIE":

[REDACTED] (NO MIDDLE NAME) [REDACTED]

b6
b7c

Character:

INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis:

8/1/74 information received from NYCPD Officer that [REDACTED] was to travel on 8/5/74 from Queens, New York, to Newark, Detroit, Minneapolis, Missoula, Seattle, and Honolulu delivering copies of GERARD DAMIANO'S latest pornography film entitled "Memories Within Miss Aggie". Film reviewed at local theater, NYC, 8/2/74. AUSA, EDNY, declined prosecution in this matter. Flight travel confirmed by air carrier. Surveillances conducted. [REDACTED] arrested Honolulu, 8/6/74 and film seized. [REDACTED] has returned to Queens, New York.

- P -

DETAILS:At New York, New York.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/13/74

Officer [] Queens Public Morals Squad, New York City Police Department (NYCPD), was interviewed and provided the following information:

[] stated he had learned that [] was transporting some motion picture film for GERARD DAMIANO and that he wished to bring this to the attention of Agent [] he was aware that [] had recently arrested DAMIANO in connection with his activities relating to the motion picture films "Deep Throat" and "Devil In Miss Jones". [] stated that he wished to remain anonymous because his parents were close friends of the [] family. [] stated that on July 31, 1974, [] told him that he was in the employ of GERARD DAMIANO who had directed a new film entitled "Memories Within Miss Aggie". [] stated that, at DAMIANO'S request, he was to fly from Newark, New Jersey, via United Airlines next Monday, August 5, 1974, at 7:00 o'clock and travel to Detroit, Michigan, Minnesota, Montana, and Seattle with an ultimate destination of Honolulu, Hawaii. [] stated that [] had told him that the purpose of this flight was to distribute copies of the film for DAMIANO and to receive payment for this delivery. [] upon arriving at Honolulu Airport was to received a payment of \$23,000.00.

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b7C

The following descriptive information was provided:

Name	[]
Race	White
Sex	Male
Height	Five feet, two inches
Weight	130 pounds
Hair	Brown
Eyes	Brown
Date of Birth	[]
Place of Birth	Queens, New York

Interviewed on 8/1/74 at Queens, New York File # NY 145-3670

SAS []
AND [] BHC:cer Date dictated 8/7/74

2.

NY 145-3670

On the morning of August 2, 1974, Agents [redacted] and [redacted] telephonically contacted Supervisor [redacted] of United Airlines, New York City, who confirmed that [redacted] had made flight reservations with the following itinerary:

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<u>DATE</u>	<u>CITY</u>	<u>CARRIER</u>	<u>FLIGHT</u>	<u>DESTINATION</u>
August 5, 1974	Newark	United	249	Detroit
"	"	Northwest	515	Minneapolis
"	"	"	109	Missoula, Montana
August 6, 1974	Missoula, Montana	"	603	Seattle
"	"	"	87	Honolulu
August 7, 1974	Honolulu	United	992	Newark

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/14/74

On the afternoon of August 2, 1974, SAS []
[] and [] attended a showing
of the motion picture film "Memories Within Miss Aggie"
at the World Theater located on 49th Street in New York
City. The credits of this film are as follows:

Actors

DEBORAH ASHIRA
PATRICK FARRELLY
KIM HOPE
MARY STUART
DARBY LLOYD RAINS
ERIC EDWARDS
HARRY REEMS
LEO ZORBA
RALPH HERMAN
CHRISTOPHER KERSEN
ROLF BECK

Director of Photography

HARRY FLECKS

b6
b7CWriters

RON WERTHEIM
GERARD DAMIANO

Music

RUPERT HOLMES

Director

GERARD DAMIANO

The story is of an elderly white female who
lives along in an isolated farm house with scenery that
appears similar to that of Upstate New York. This story

Interviewed on 8/2/74 at New York City, New York File # NY 145-3670

by SAS []
AND [] BHC:cer Date dictated 8/8/74

NY 145-3670

takes place in the winter time and appears to have been filmed with high quality 35 millimeter in color. The cinematography, art work, set design, sound track, technical aspects and acting all appear excellent for this type of motion picture.

The main character, Miss Aggie, wanders alone through a deserted farmhouse and talks to a mummified corpse. This corpse we later learn is of a man that she had killed several years earlier. In a series of flashbacks the main character relives her six life in this farmhouse. In the first episode, she is a young blonde woman who seduces a country boy to her deserted farmhouse. While in the building they both remove their clothes and the man performs cunnilingus. Miss Aggie then performs the act of fellatio. All of these scenes depicted in the motion picture are graphic and explicit. There are full color close-ups of the penetration and none of the sex acts are mere simulations. Upon the completion of the oral sex, intercourse is performed, and ejaculation is shown.

Upon completion of this scene there is a return to the present where Miss Aggie wanders about in her farmhouse and talks about her past life with the corpse. In the next flashback we see Miss Aggie as a young black haired woman in what is apparently a second story loft which is adjacent and attached to the main farm building. She is dressed in a red silk dress which is open in the front revealing her breasts and vaginal area. There is a bed in the loft upon which she sits while caressing the front of her body with a small doll. She rubs the doll on her breast and vaginal area and then masturbates with the doll. Once again close-ups are shown in the film which depict the actual insertion. During this masturbation a truck arrives at the front of the building. Driving the truck is the actor, HERBERT STREICHER, who uses the stage name of HARRY REEMS. STREICHER in this film portrays a farmer who has a truckload of hay to deliver at the farmhouse. He blows the horn of the truck in an attempt to attract attention, but, supposedly, no one is home, except Miss Aggie who has been confined to the loft area. Aggie, upon hearing the

NY 145-3670

truck's horn, opens the loft doors and stands in the open doorway. REEMS speaks to Miss Aggie and ultimately, through the use of a convenient ladder, climbs to the loft and enters. They converse while seated on a bed during which time Miss Aggie caresses the man's genitals. REEMS removes his clothes and Miss Aggie performs fellatio. They then engage in sexual intercourse with close-ups shown. After this intercourse REEMS withdraws and then mounts Miss Aggie from the rear penetrating her anus. This intercourse continues until he withdraws and ejaculates on her back.

A quick flash is then shown to the present and once again there is more idle talk with the corpse which is seated in a wheelchair in the kitchen of the farmhouse. During the next flashback it appears that this Miss Aggie is working in a house of prostitution. She is now a blonde wearing only a waist corset, black silk stockings, and high heels while lying on a bed. It is noted that there is a white male who is fully clothed, seated on a chair in the corner of the room. This man watches Miss Aggie while she caresses her naked breasts and vaginal area. The woman begs the man to engage her in sexual intercourse but he does not speak. The man remains seated while Miss Aggie masturbates and penetrates her vagina and anus with her fingers. There is much pleading and sexually enticing laudy girations performed by the actors in this scene. There is then a quick cut to Aggie and the man who had been seated in the corner. They are both now naked in bed and she performs fellatio and drinks the semen. The scene closes when she drools out the ejaculate on to his body.

In the next scene Miss Aggie is shown inside an empty church. Shortly thereafter she exits from the building and meets a white male who is walking through an adjacent cemetery. After some conversation she invites him to return to her farmhouse under the guise that she has some odd jobs around the farm that he could perform while earning his supper. Back at the farmhouse the man chops some wood and Miss Aggie feeds him his supper and invites him to stay the night. During the night Miss Aggie enters his bedroom under

NY 145-3670

the pretext that she wishes to engage the man in sexual intercourse. While he is preparing himself, Miss Aggie withdraws from her gown a long knife and stabs the man in his eye, killing him. This scene dissolves and it appears that the deceased is now the mummified corpse with whom she lives. This is the end of the film and the motion picture has last approximately one hour and ten minutes.

NY 145-3670

On August 2, 1974, this matter was discussed with Assistant United States Attorney (AUSA) THOMAS R. MAHER, Eastern District of New York (EDNY), Brooklyn, New York, who advised that he would defer prosecution in this matter to other more appropriate judicial districts in light of recent Supreme Court decisions regarding obscenity matter. AUSA MAHER stated that under the "Community Standards" doctrine it was felt that New York City had a tolerant attitude toward obscenity.

NY 145-3670

INVESTIGATION AT NEWARK, NEW JERSEY

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/74

At approximately 6:20 AM, August 5, 1974, [redacted] and [redacted] Special Agents, FBI, Newark, New Jersey, were assuming the roles of tourist-airline travelers and were being escorted by [redacted] Detective, New York-New Jersey Port Authority Police Department behind the ticket counter check-in of United Airlines, Newark International Airport. [redacted] was assuming the role of a United Airlines Official.

On one baggage check-in slot were observed four brown cardboard boxes, one suitcase, and one brown motion picture reel box. As [redacted] and [redacted] approached this slot behind the counter, a white male, 5'3", 130 pounds, wearing a yellow T-shirt, blue jean slacks, and white sneakers, approached the slot from the customer side of the counter and by actions, indicated ownership of the above described baggage and appeared to think [redacted] might check in the baggage. [redacted] and [redacted] proceeded on past the slot without acknowledging this man. This man was noted to be identical to a facial photograph of [redacted] in the possession of [redacted]

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Interviewed on 8/5/74 at Newark, New Jersey File # NK 145-1326

SAS [redacted]

by [redacted] RL/pan Date dictated 8/7/74

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/74

At approximately 6:15 AM, August 5, 1974, [redacted] Special Agent, FBI, Newark, New Jersey, entered the check-in and ticket counter area of United Airlines, Newark International Airport and immediately saw [redacted] seated in the waiting area. He was identified by [redacted] who had previously seen a facial photograph of [redacted] and had the photograph in his possession. [redacted] was noted to be a white male, age early thirties, brown hair and mustache, approximately 5'3" tall and 130 pounds, wearing blue jean pants, a yellow short-sleeved T-shirt and white sneaker shoes.

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Interviewed on 8/5/74 at Newark, New Jersey File # NK 145-1326
by SA [redacted] /psm Date dictated 8/7/74

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/74

[redacted], Ticket Agent Supervisor, United Airlines, Newark, International Airport, furnished the following flight itinerary for [redacted]

<u>DATE</u>	<u>CITY</u>	<u>CARRIER</u>	<u>FLIGHT</u>	<u>DESTINATION</u>
August 5, 1974	Newark	United	249	Detroit
"	Detroit	Northwest	515	Minneapolis
"	Minneapolis	"	109	Missoula, Montana
August 6, 1974	Missoula, Montana	"	603	Seattle
August 6, 1974	Seattle	"	87	Honolulu
August 7, 1974	Honolulu	United	992	Newark

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[redacted] advised [redacted] left the following contact telephone numbers for New York City: [redacted] and [redacted] (for [redacted]).

Interviewed on 8/5/74 at Newark, New Jersey File # NK 145-1326

by SA [redacted] /pam Date dictated 8/7/74

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/74

[redacted] Ticket Agent Supervisor, United Airlines, Newark International Airport, segregated the baggage checked in by [redacted] on August 5, 1974, for United Flight #249 and it consisted of four brown cardboard boxes, one suitcase and one brown motion picture reel film.

[redacted] Special Agent, FBI, Newark, New Jersey, took seven exposures of this baggage utilizing 35 mm. Bessler Topcon camera with 58 millimeter lens with Tri-X black and white film.

[redacted] advised the baggage was then forwarded through normal procedures for carrying on United Airlines flight #249 to Detroit.

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It was noted that the cardboard boxes were stencilled with blue "Agfa-Gevaert, Foto, Made in Belgium."

Interviewed on 8/5/74 at Newark, New Jersey File # NK 145-1326

by SA [redacted] /pam Date dictated 8/7/74

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/74

[redacted] Ticket Agent, Supervisor, United Airlines, Newark International Airport, Newark, New Jersey, advised that the baggage for [redacted] aboard United Airlines Flight #249 was ticketed as follows:

<u>Destination</u>	<u>Baggage Claim #</u>	<u>Description</u>
Detroit, Michigan	304068	Cardboard Box
"	304069	"
Missoula, Montana	003993	"
"	003994	"
"	003995	Suitcase
"	003996	Film Box

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Interviewed on 8/5/74 at Newark, New Jersey File # NK 145-1326

by SA [redacted] /pam Date dictated 8/7/74

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/74

On August 5, 1974, at approximately 6:35 AM, [redacted] was observed leaving the ticket counter area of United Airlines, Newark International Airport, and proceeding to gate 16, where he waited at the gate area until 7:00 AM. He then boarded United Airlines Flight #249 at gate number 16.

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b7CInterviewed on 8/5/74 at Newark, New Jersey File # NK 145-1326by SA [redacted] /pam Date dictated 8/7/74

NY 145-3670

INVESTIGATION AT DETROIT, MICHIGAN

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/12/74

The following physical surveillance was conducted
regarding [redacted]

8:25 AM

Surveillance initiated at
Detroit Metropolitan Airport,
Romulus, Michigan.

8:31 AM

Observed white male, approximately
5'2", 130 pounds, dark hair,
moustache, wearing a yellow knit
pullover shirt, blue jeans and
white striped tennis shoes, and
carrying one brown toiletry kit
and one grey briefcase, get off
of flight 249 United Airlines.
(Individual hereafter will be
identified as individual number
one.)

8:37 AM

Observed individual number one
in telephone booth near United
Airlines baggage claim area.

8:38 AM

Overheard individual number one
attempting to telephonically
contact Gail Film Distributors,
16300 West Nine Mile Road,
Southfield, Michigan through
information operator.

8:40 AM

Individual number one exits
telephone booth and meets white
male, approximately 6'2", 190
pounds, black hair, moustache
at the United Airlines baggage
claim. (Hereafter identified as
individual number two).

Interviewed on 8/5/74 at Romulus and Southfield, Michigan File # Detroit 145-805

SAs [redacted]

by [redacted]

8/9/74

and [redacted]

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DE 145-805

8:43 AM	Individual number one takes baggage claim check from his wallet and gives it to individual number two.
8:46 AM	Observed individual number one obtain two cardboard cartons, each approximately three feet by two feet by six inches from the United Airlines baggage claim and turn them over to individual number two.
8:48 AM	Observed individuals number one and number two exit airport terminal and proceed to short term parking lot.
8:51 AM	Observed individuals number one and number two stop, shake hands and part. Individual number one proceeds toward Northwest Orient Airlines terminal. Individual number two proceeds toward parked vehicles in short term parking lot.
8:53 AM	Observed individual number two placing two cartons in trunk of a black over blue Pontiac, bearing 1974 Michigan license
8:55 AM	Individual number two departs Metropolitan Airport via above vehicle.
9:06 AM	Observed individual number one check in at Northwest Orient Airlines ticket counter.
9:10 AM	Individual number one proceeds toward boarding gate number nine, Northwest Orient.
9:31 AM	Individual number two enters 28390 Lockdale, Lockdale Apartments, Southfield, Michigan.

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DE 145-805

9:39 AM

Individual number two departs
above address in black over
blue Pontiac, Michigan license
[redacted]

9:42 AM

Observed individual number one
boarding Northwest Orient Airlines
Flight 515.

9:48 AM

Observed individual number two
enter Charter House Apartments,
16300 West Nine Mile Road,
Southfield, Michigan, via west
wing, carrying the two cardboard
cartons which were previously in
trunk of vehicle, [redacted]

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10:05 AM

Surveillance terminated at Detroit
Metropolitan Airport.

12:31 PM

Surveillance terminated at 16300
West Nine Mile Road, Southfield,
Michigan. No change noted.

Records of the Michigan Secretary of State's Office,
Lansing, Michigan, contained the following vehicle registrations:

[redacted]

Oak Park, Michigan

NY 145-3670

INVESTIGATION AT MINNEAPOLIS, MINNESOTA

FEDERAL BUREAU OF INVESTIGATION

Date of transcription August 6, 1974

On the morning of August 5, 1974. SA [redacted]
[redacted] and SA [redacted]
conducted a surveillance at the Minneapolis, Minnesota,
airport regarding the reported arrival of [redacted]
on Northwest Airlines flight 515 from Detroit, Michigan,
at 10:25 AM.

An individual resembling the previously obtained
description of [redacted] was observed departing from
flight 515 of Northwest Airlines at approximately 10:25 AM.
He appeared to be alone and was carrying two pieces of
luggage; a black attache case and a tan toilet kit.

He walked to the main terminal building, and placed
these bags in a locker. For approximately the next two hours
he wandered around the airport terminal: eating, reading a
newspaper, playing the coin machines in an amusement arcade,
looking in shops and just walking around. He was not observed
making any phone calls or talking with anyone, other than
casual conversation with airport employees.

Shortly before 1:PM, he removed his two bags from
the locker, and walked alone to the boarding area for
Northwest Airlines flight 109. This flight was to Seattle,
Washington, with intermediate stops.

At 1:05 P.M. [redacted] boarded this flight.

During this surveillance, the following description
was noted:

Sex:	Male
Race:	White
Age:	30 years of age
Height:	5'2"
Weight:	130 lbs.
Hair:	Dark brown, moderately cut
	Mustache
Eyes:	No glasses
Characteristics:	Right handed, walks with toes

Interviewed on 8/5/74 at Minneapolis, Minnesota

by SAs [redacted]
[redacted] ds

20.

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MP 145-338
(2)

Clothing:

pointed out
Tan t-shirt, blue jeans, white
athletic shoes, leather band
wrist watch, no coat, jacket or hat.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription August 6, 1974

During the surveillance of [redacted] at the Minneapolis, Minnesota airport on August 5, 1974, by [redacted], SA [redacted] and SA [redacted] [redacted] was observed discarding the following described airline ticket envelope in an airport waste can:

Airline: Northwest Orient
Date: August 5, 1974
Flight: 515
Seat: 13A
Gate: 9A

This ticket envelope was taken from this waste can after being discarded by [redacted]

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Interviewed on 8/5/74 at Minneapolis, Minnesota File # MP 145-338
by SA [redacted] ds Date dictated 8/10/74
FBI — NEW YORK

NY 145-3670

INVESTIGATION AT MISSOULA, MONTANA

FEDERAL BUREAU OF INVESTIGATION

8/8/74

Date of transcription

Relative to a surveillance of [] to be conducted in Missoula, Montana, on the evening of August 5, 1974, the following assignments were made by SA []

SA [] and Missoula City Detective [] were to occupy room #208 of the HOLIDAY INN MOTEL directly across the hall from the room [] was to have at this motel.

SA [] and SA [] were to work as a team in one Bureau car, which when [] was in the motel, would park in a position on the rear parking lot covering the rear exit of the HOLIDAY INN MOTEL.

SA [], and SA [] were to occupy one Bureau car and take up a position on the front parking lot of the HOLIDAY INN MOTEL covering all exits from the motel leading to the front parking lot.

These assignments were made and SAs [] and [] proceeded to the Missoula County Airport, arriving at approximately 5:30 p.m., on the evening of August 5, 1974.

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At 5:59 p.m., NORTHWEST ORIENT AIRLINES Flight #109 arrived at Missoula, Montana, and an individual fitting the description of [] was the first to alight from the airplane.

As [] entered the airport terminal, SAs [] and [] proceeded to Bureau cars strategically located in the airport parking lot, leaving SAs [] and [] in the terminal.

Shortly after his arrival, in the airport, [] proceeded to the HOLIDAY INN MOTEL courtesy telephone and called for the motel's courtesy limousine to pick him up for transportation

Interviewed on 8/5/74 at Missoula, Montana File # BT #145-195

by SA [] and []
SA [] AJFM/cld Date dictated 8/7/74

to the motel. He thereafter went to the baggage retrieval area, where he waited until the baggage from his flight was unloaded and placed out for the public to pick up.

As [] entered the airport terminal from his airplane, he was observed by SA [] and SA [] to be carrying a gray attache case and a small brown man's toilet kit.'

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When the baggage from the flight arrived inside the terminal building, [] was observed by SA [] to retrieve two brown, medium-size, cardboard boxes, both of which were bound separately with string, and each one having a handle. He also retrieved one cardboard web-belt bound film mailing carton and one blue "flight bag type," suitcase. [] was assisted with his baggage to the courtesy car by an individual later identified as an employee of the HOLIDAY INN MOTEL.

[] departed the Missoula County Airport in the above-mentioned courtesy car at 6:20 p.m., and the car proceeded immediately to the HOLIDAY INN MOTEL.

Several minutes thereafter, SAs [] and [] were informed via radio by SA [] that [] had entered his room, #209, in the HOLIDAY INN MOTEL.

At 6:45 p.m., SA [] informed SA [] via radio that [] had called for a taxicab for transportation to the ROXY THEATER. Several minutes thereafter, SA [] informed that [] had entered a cab carrying one of the above-mentioned brown cardboard cartons. This cab was observed by SAs [] and [] to belong to the DE LUX CAB COMPANY of Missoula, Montana, and it bore Montana license plate #4-31755.

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At 6:53 p.m., SA [] who was on foot on South Higgins Avenue, Missoula, Montana, observed the above-mentioned cab pull up and park in front of the ROXY THEATER, 718 South Higgins Avenue and [] alighted from the cab, carrying the above-mentioned cardboard box. He proceeded to the door of the theater, tried it, found it locked, and re-entered the cab, which headed north on Higgins Avenue.

SA [] returned to the Bureau car being driven by SA [] and both Agents proceeded to the WILMA THEATER located at the WILMA Building on South Higgins Avenue, and at 6:56 p.m., observed the same taxicab parked in front of the WILMA THEATER, the cab driver being the only passenger.

SA [] took up a position on the street and shortly thereafter saw [] enter this cab empty-handed.

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The cab then proceeded south on Higgins Avenue, was observed at various points by SAs [] and [], and ultimately returned to the HOLIDAY INN MOTEL.

At 7:03 p.m., SA [] radioed SAs [] and [] that [] emerged from the above taxicab empty-handed and entered his room.

Continued surveillance revealed that [] ate dinner in the HOLIDAY INN MOTEL and engaged the manager of the motel in conversation, but did not emerge from the hotel for the rest of the evening.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/8/74

At approximately 6:15 a.m., on the morning of August 6, 1974, SA [redacted], took up a position across the street from and in front of the HOLIDAY INN MOTEL on Highway 93 West in Missoula, Montana.

Shortly thereafter, SA [redacted] received a radio transmission from SA [redacted] that he and SA [redacted] detected no activity on the part of [redacted] who was occupying room #209 in the motel during the night of August 5-6, 1974, after 10:00 p.m., August 5, 1974.

Approximately 15 minutes thereafter, SA [redacted] radioed that SA [redacted] had taken up a position in a Bureau car outside of the HOLIDAY INN MOTEL and [redacted] was being assisted by a motel employee in taking his luggage to the courtesy car apparently en route to the Missoula County Airport. At approximately 7:30 a.m., SA [redacted] proceeded to the Missoula County Airport and took up a position where he could observe the HOLIDAY INN courtesy car arrive.

About two minutes thereafter, the courtesy car arrived as well as SA [redacted] and SA [redacted] SA [redacted] proceeding immediately inside of the terminal.

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SA [redacted] observed [redacted] alight from the courtesy car and he was assisted by the driver with his baggage, which consisted of the following items;

A gray attache case

A brown, small, man's toilet kit

One brown cardboard, medium-size carton bound with string and with a handle

One cardboard-type film mailing container

Interviewed on 8/6/74 at Missoula, Montana

by SA [redacted] /cld

Date dictated

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One blue flight-bag-type suitcase

[] was assisted into the terminal with this luggage.

At 7:56 a.m., NORTHWEST ORIENT AIRLINES Flight #603, en route to Seattle, Washington, departed from the Missoula County Airport and immediately thereafter, SA [] radioed SA [] that [] had boarded this flight as he had been scheduled to, and SA [] confirmed that [] had the above luggage with him. SA [] further informed SA [] that the cardboard film container, the string-bound cardboard box, and the flight bag had been checked through to Seattle, Washington, by []. He further informed that [] was dressed in a white or cream-colored dress shirt with a thin red stripe, black slacks, and black shoes.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/8/74

[redacted] inkeeper, HOLIDAY INN MOTEL, Missoula, Montana, advised as follows:

At approximately 9:00 p.m., on the evening of August 5, 1974, after having had his dinner in the inn dining room, the guest who had registered as [redacted] approached him and engaged him in conversation about wake-up calls so that he would be up in sufficient time to board NORTHWEST ORIENT Flight #603, departing Missoula, Montana, at 7:56 a.m., on the morning of August 6, 1974. [redacted] agreed that he should be called by the motel at 6:00 a.m.

During the course of this conversation, [redacted] observed another customer come and pay part of his motel bill with a silver dollar and [redacted] struck up with [redacted] a conversation concerning coin collecting. [redacted] stated that he too was a coin and currency collector and was desirous of showing some of his collection to [redacted] and he then proceeded to his room, returning shortly after with a black loose-leaf-type notebook containing plastic bill holders. [redacted] discussed coin collecting and currency collecting with [redacted] for approximately 45 minutes, during which time the only coin [redacted] observed was a proof condition Eisenhower silver dollar.

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[redacted] continued that the loose-leaf book was filled with currency and he specifically recalls [redacted] pointing out to him the following currency:

Three different \$2.00 bills in good condition, one being the old-type large-size \$2.00 bill

Several U. S. silver certificates in various denominations, that appeared to be uncirculated

Interviewed on 8/6/74 at Missoula, Montana File # BT #145-195

by SA [redacted] /cld Date dictated 8/7/74

A 1928 \$5.00 bill that appeared
to be uncirculated

Large, over-size \$1.00 bills
dated 1923 and 1928

One new appearing \$10.00 bill
which he believes may have
been a gold certificate

[] went on to advise that during the course of conversation, [] stated that he was employed by a movie company and had come to Missoula, Montana, to deliver a movie. He did not further identify the company for whom he is employed or the movie he delivered, but stated that he travels frequently doing this type of work and the company pays all of his expenses. He further told [] that he was en route to Honolulu, Hawaii, where he was to deliver his last movie, and would receive a check in the amount of \$23,000.00.

[] stated that [] indicated he would be returning to Missoula in approximately three to four weeks at which time he would like to bring his entire coin and currency collection and show them to and display them to []. He noted that he generally carries parts of his collection with him as he frequently runs into someone with whom he can trade currency and coins.

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[] further indicated an interest in obtaining a handgun, noting to [] that he is an applicant for the New York City Police Department and he was interested in getting a Smith & Wesson snub-nose as a "off-duty gun."

[] commented to [] that he, [] appeared to be rather short for a policeman, and [] stated that the New York City Police had recently revised their height standards.

The only other thing that [] can recall [] discussing is that he, [] had an ex-wife who resides in Spokane, Washington.

BT #145-195

Page 3

[] made available to SA []
[] the original registration card filled out by [] which
indicates that he resides at [] New York,
New York. He also made available the original HOLIDAY INN
folio copy of [] motel bill, and both of these documents
were mechanically reproduced by SA [] and returned to
[]

[] further stated that other than the tele-
phone call requesting a taxicab on the evening of August 5,
1974, [] made no telephone calls whatsoever while a guest
at the HOLIDAY INN.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/8/74Page 1

[redacted] inkeeper, HOLIDAY INN, Highway 93 West, Missoula, Montana, advised he has received a teletype room reservation for [redacted] of New York, New York, this reservation having been made by the LA DOLCE VITA TRAVEL INCORPORATED, 74 Birch Hill Road, Locust Valley, New York, and the same teletype indicated that [redacted] apparently would ultimately require a reservation at the SHERIDAN in Honolulu, Hawaii.

[redacted] stated that the reservation for [redacted] was for the evening of August 5, 1974, and the motel reservation had been prepaid.

Arrangements were made with [redacted] to place [redacted] on his arrival in room #208 of the motel and room #209 immediately across the hall was reserved for SA [redacted] and SA [redacted] for the night of August 5, 1974. [redacted] pointed out that this would be a good setup, inasmuch as all of the doors of the HOLIDAY INN had peek holes and the room being occupied by the Special Agents was directly across the hall from [redacted] room.

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Interviewed on 8/5/74 at Missoula, Montana File # BT #145-195

by SA [redacted] /cld Date dictated 8/7/74

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/8/74

[redacted] East Missoula, Montana, advised he is a cab driver for the DE LUX CAB COMPANY, Missoula, Montana, and was on duty on the evening of August 5, 1974.

At approximately 6:45 p.m., he answered a call at the HOLIDAY INN for an individual whom he described as being short, light-weight, with dark hair and dark mustache, and this person was desirous of being taken to the ROXIE MOVIE THEATER. En route to the movie theater, this individual, whom [redacted] can identify should he see him again, advised him that he worked for the man who produced the movie, "Deep Throat," and he was delivering a movie to the ROXY THEATER, which was the next step in pornography. Also, en route, he asked the cab driver the location of the WILMA Building, stating that he wanted to walk to the WILMA Building from the ROXY THEATER, inasmuch as the man who owned the ROXY THEATER had offices in the WILMA Building.

[redacted] continued that on arrival at the ROXY THEATER, [redacted] who had a medium-size brown cardboard carton bound with string and with a handle, alighted from the cab, tried the door of the ROXY and having found it locked immediately asked to be taken to the WILMA. [redacted] took this individual to the WILMA THEATER and on alighting with the above carton, the individual asked [redacted] to wait.

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The individual entered the WILMA BUILDING with this carton and emerged no longer than five minutes later empty-handed.

On re-entering the cab, the individual asked to be returned to the HOLIDAY INN MOTEL and while en route asked if [redacted] knew where he could purchase a hand-gun. [redacted] advised that probably the best place would be a second-hand store; however, they were all closed at this time in the evening and the individual commented that it did not make any difference inasmuch as he had to leave early in the morning for Seattle, Washington.

Interviewed on 8/6/74 at East Missoula, Montana File # BT #145-195

by SA [redacted] cld Date dictated 8/7/74

BT #145-195

Page 2

At some point in the trip, this individual commented to [] that he had another movie to deliver in Honolulu, Hawaii.

On emerging from the cab at the HOLIDAY INN MOTEL, [] notified this individual that the fare was \$3.75 and the man handed \$4.75, and asked for a receipt, which [] furnished.

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FEDERAL BUREAU OF INVESTIGATION

Page 1Date of transcription 8/7/74

At 6:45 p.m., [] was observed departing the HOLIDAY INN with a brown cardboard box approximately 18 inches square and ten inches thick.

At 7:03 p.m., [] returned to the HOLIDAY INN without the box. He has change from paying the taxi in his hand.

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Interviewed on 8/5/74 at Missoula, Montana File # BT #145-195

by SA [] ddp Date dictated 8/7/74

FEDERAL BUREAU OF INVESTIGATION

Page 1Date of transcription 8/7/74

On August 5, 1974, an individual similar in identity to [] and later registered under the name of [] at the HOLIDAY INN, Missoula, Montana, on August 5, 1974, was observed by SA [] [] boarding the HOLIDAY INN van vehicle with unknown pieces of luggage at 6:17 p.m.

At 6:43 p.m., [] was observed by SA [] in the lobby of the HOLIDAY INN waiting by the double glass front doors of the HOLIDAY INN with one cardboard box, approximately 18 inches by 18 inches by ten inches. At 6:45 p.m., [] was observed by SA [] leaving the HOLIDAY INN in possession of the cardboard box entering in a white cab. SA [] noted, at 6:55 p.m., [] departed the WILMA THEATER in a white cab where he arrived at the HOLIDAY INN at 7:03 p.m.

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b7c

Interviewed on 8/5/74 at Missoula, Montana File # BT #145-195

by SA [] ddp Date dictated 8/6/74

FEDERAL BUREAU OF INVESTIGATION

Page 1Date of transcription 8/7/74

At 6:35 a.m., [] was observed departing his room, #209, HOLIDAY INN, with one box, approximately 18 inches square by ten inches thick, one film mailing container, and a gray briefcase.

At 7:24 a.m., [] was observed loading a blue flight bag type suitcase, a brown cardboard box, approximately 18 inches by 18 inches by ten inches, a gray briefcase, a light tan shaving kit, and one film mailing container into the back of the HOLIDAY INN courtesy car.

At 7:40 a.m., [] was observed checking the above mentioned items at the airport, at which time it was observed that the cardboard box had printed on the outside, five reels, 35 millimeter film, 2000 feet. The tag showed SEATAC as his destination, with flight #78 written on the tag. The film mailing container also reflected a SEATAC destination.

Prior to entering the waiting area for boarding, the woman who searched the bags took [] to a separate area to search his briefcase and then allowed him to enter the waiting area, at which time the aircraft was waiting, and he boarded en route to SEATAC.

[] was dressed in a creme colored, long sleeve, dress shirt, with thin red vertical stripes which had a slight pattern in the line. He wore black dress pants, black shoes, and carried the gray briefcase and shaving kit on board.

Interviewed on 8/5/74 at Nissoula, Montana File # BT #145-195

by SA [] /dep Date dictated 8/7/74

NY 145-3670

INVESTIGATION AT SEATTLE, WASHINGTON

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/74

The individual fitting the description of [] was observed to deplane from Northwest Airlines Flight 603 following its arrival at Seattle at approximately 8:59 a.m. This individual deplaned at Gate S-4 at Seattle-Tacoma International Airport and was observed to walk to a television screen showing gates for flight arrivals and departures and then walked directly to Gate S-8 and checked in for Northwest Airlines Flight 87 to Honolulu. The flight had been temporarily delayed and was not boarding at that time. The individual remained for a brief period of time in the loading area, then proceeded to a gift shop area where he obtained some change. He then left the gift shop area and was observed to examine the change which he had received and then returned to the boarding area for Northwest Airlines Flight 87 where he remained for a few minutes and then boarded the flight when the boarding process began.

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Interviewed on 8/6/74 at Seattle, Washington File # SE 145-477
by SA [] and JSD/djs Date dictated 8/7/74

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NY 145-3670

INVESTIGATION AT NEW YORK, NEW YORK

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/22/74

[] voluntarily appeared at the New York Office of the FBI and provided the following information:

[] stated that on the morning of August 12, 1974, he went to the offices of Inish Kae, Limited on the second floor of 2 West 45th Street, New York, New York, and then to the office of Attorney [] who is associated with the firm of Pryor, Cashman, and Sherman, Attorneys at Law, 410 Park Avenue, New York, New York, where he discussed his recent arrest by FBI Agents at Honolulu, Hawaii, where he was charged with a violation of the Federal statute on Interstate Transportation of Obscene Matter. Present at this discussion was [] [] GERARD DAMIANO, and one other person whose name he did not recall.

[] stated that the persons in attendance wanted to know what had happened in Honolulu and he told them how he was arrested by the FBI. He advised them that he had destroyed the Honolulu copies of the motion picture film "Memories Within Miss Aggie" by cutting it up, placing it in trash liners and putting the liners in a dumpster near his hotel.

b6
b7C

[] advised that DAMIANO and [] assured him that he still had a job and that everything was okay. [] stated that he will be working as a checker at the Mayfair Theater in Flushing, New York, where he will be paid a salary of \$4.00 an hour to make a count of the persons attending the movie.

Interviewed on 8/12/74 at New York, New York File # NY 145-3670

SAS []
by AND [] /BHC:cer Date dictated 8/16/74

(Mount Clipping in Space Below)

FBI GRABS CARRIER OF MISS AGGIE PRINT

Honolulu, Aug. 13.

Federal Bureau of Investigation agents seized a New York man when he arrived on a flight from Seattle on a charge of interstate transportation of allegedly obscene material, a felony offense. Two prints of "Memories Within Miss Aggie" were found in his luggage, officials said.

Arrested was Stanley Learner, identified by FBI sources as an employee of the in-group that control "Deep Throat" and "The Devil in Miss Jones," both of which have been grinding for months without incident in porn houses here.

Inasmuch as a search of any luggage from an arriving domestic flight is a rarity, it's guessed that the FBI knew who and what it was looking for.

Sources said the federal grand jury may be convened to consider possible indictments against the person or persons suspected of being responsible for sending Learner and the films to Hawaii.

Learner was released on \$10,000 signature bond.

(Indicate page, name of newspaper, city and state.)

P. 24

VARIETY

NEW YORK

N.Y.

Date:

8-14-74

Edition:

Author:

Editor:

Title:

Character:

ITOM

or

Classification:

145

Submitting Office:

N.Y.

☒ Being Investigated

SAC, Honolulu (145-189)

8/30/74

Director, FBI (145-5049)

0-7 (re: correct bufile #)
to HN; NY,
Cms/BW
9/11/74

1-Mr. ☐
1-ITOM Folder
1-Mr. ☐
1-Mr. ☐

GERALD DANILANO;
ET AL.;
ITOM
OO: NEW YORK

b6
b7C

ReHNrep of SA ☐ dated 8/12/74.

In ITOM cases the mere fact that obscene matters might be considered contraband does not provide a rationale for calling seizure thereof a "recovery." At the outset, such items would not be considered contraband in the strictest sense of the term until adjudicated obscene as a result of federal court proceedings.

Even if declared obscene, such items would still not fall within our statistical category of a recovery which is based on the premise that articles which have been wrongfully appropriated were subsequently "liberated" by or as a direct result of the efforts of the FBI. Furthermore, obscene matter, in and of itself, is of no monetary value to the U. S. Government; therefore, no savings would result from such a seizure.

It is recognized that recovery values for such items have in the past been credited to informants when seized based upon information they furnished, but this is utilized only insofar as establishing their credibility as informants.

In view of the above, no recovery is being allowed in instant matter.

1 - New York (145-3670) (for information)

NOTE: Honolulu claimed recovery of \$23,000 in rerep stating that was value of two obscene films seized and currently retained by that office in this matter. No recovery being allowed for the reasons stated above.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

JNE/DCP

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (145-5594)⁵⁴⁹⁴

FROM : SAC, HONOLULU (145-189) (RUC)

SUBJECT: GERARD DAMIANO;
ET AL
ITOM
(OO: NY)

DATE: 10/31/74

Being forwarded to the Bureau under separate cover are four reels of .35 millimeter film of "Memories Within Miss Aggie."

On 10/29/74, AUSA WILLIAM C. MC CORRISTON, Honolulu, Hawaii, advised that he had, on that date, talked with Departmental Attorney DON NICHOLSON, who had advised that prosecution was being deferred in this matter pending other ITOM prosecutions against DAMIANO. NICHOLSON requested that the above film be forwarded to the FBI ITOM Unit, Attention Supervisor

Information copies being furnished the Butte and New York Offices in view of their investigative interest in this matter.

REQ 17

EX-112

NOV 4 1974

- ③ - Bureau
(1 - Package Copy)
1 - Butte (145-195) (Info)
1 - New York (145-3670) (Info)
1 - Honolulu

LLA/kap
(6)



5010-110

NOV 13 1974

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 12/4/74

FROM : SAC, NEW HAVEN (145-401) (RUC)

SUBJECT: "MEMORIES WITHIN MISS AGGIE"

MOTION PICTURE FILM

GERARD DAMIANO-DIRECTOR

[REDACTED]-COURIER

ITOM

(OO: NY)

Re: Bureau airtel to New Haven, 8/23/74;
New York airtel to New Haven, 8/30/74;
New York airtel to New Haven, 10/2/74.

b6
b7c

Reports of SA [REDACTED], dated 8/12/74, at Honolulu and
SA [REDACTED] dated 8/28/74, at New York, N.Y., were furnished
to AUSA PETER MEAR at New Haven on 9/5/74.

Captioned film ceased being exhibited at New Haven in the first
week of 9/74.

On 9/10/74, [REDACTED] Courier, advised that he had delivered
copies of this film to the Lincoln Theatre, New Haven, Conn., via
personally owned auto in mid 6/74.

On 10/8/74, this matter was presented to AUSA PETER MEAR for
prosecutive opinion.

On 12/3/74, AUSA PETER MEAR declined prosecution as the film is no
longer being exhibited in Conn. and that the community standards in
Conn. in view of the acquittal in a recent obscenity case would
preclude successful prosecution.

The opinion of the AUSA PETER MEAR has been confirmed by separate
communication.

New Haven will take no further action.

REC-63

EX-110

DEC 9 1974

- 2 - Bureau
2 - New York (145-3670)
1 - New Haven
WAF/mek
(5)



DEC 16 1974

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

508
SAC, Honolulu (145-189)

12/12/74

Director, FBI (145-5594)

1 - Mr. ☐
1 - Mr. ☐

b6
b7c

GERARD DAMIANO; ET AL.;
ITOM
OO: NY

ReHNlet to the Bureau 10/31/74.

Relet advised that four reels of 35 millimeter film of "Memories Within Miss Aggie" were being forwarded to the Bureau under separate cover. To date there is no record of these films being received by either the General Investigative Division or the Laboratory Division at FBIHQ. Honolulu advise FBIHQ of the circumstances surrounding the shipment of this film.

1 - New York (145-3670)

JEO:sls
(6)SL

NOTE: Honolulu being requested to advise of circumstances of the shipment of obscene film which has not been received by the Laboratory of General Investigative Division. Honolulu stated film being mailed 10/31/74.

145-5494-20X

JME
REC-23

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Telephone Rm. _____
Director Sec'y _____

MAILED 10
DEC 13 1974
FBI

EX-111

14 DEC 16 1974

FEB 21 1975

MAIL ROOM

TELETYPE UNIT

CODE

TELETYPE

NITEL

1/4/75

TO: SAC, MIAMI (145-1171)

FROM: DIRECTOR, FBI

1 - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Mr. [REDACTED]

GERARD DAMIANO, AKA, ET AL., ITOM, OO: MIAMI

[REDACTED] AKA, ITOM, OO: MIAMI

NR 145-5494
REURTEL JANUARY 2, 1975 AND BUTELCALLS JANUARY 3, 1975.

DEPARTMENT HAS ADVISED IT LEARNED THROUGH UNITED STATES ATTORNEY'S (USA) OFFICE, MIAMI, THIS MATTER HAS BEEN REASSIGNED FROM ASSISTANT UNITED STATES ATTORNEY (AUSA) WILSON TO AUSA LARRY CRAIG. INASMUCH AS THERE IS NO INDICATION NO EFFORT HAS BEEN MADE THROUGH USA'S OFFICE, MIAMI, TO QUASH SUBPOENA, YOU SHOULD DISCUSS POSSIBILITY OF TAKING SUCH ACTION WITH AUSA CRAIG BEFORE SCHEDULED APPEARANCE OF SA [REDACTED] BEFORE DADE COUNTY COURT REPORTER ON JANUARY 7, 1975.

FULL EXTENT OF INVOLVEMENT OF MIAMI INFORMANT IN THIS CASE SHOULD BE THOROUGHLY DISCUSSED WITH AUSA CRAIG SINCE, IF INFORMANT WAS A PARTICIPANT IN VIOLATION NOW BEING PROSECUTED BY LOCAL AUTHORITIES, HIS TESTIMONY WOULD BE MATERIAL TO DEFENSE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

JEO:dmw (5)dmw

CONTINUED OVER...

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 6 1975

JAN 6 1975

RECEIVED
FBI

REC-23

XEROX

JAN 8 1975

JAN 6 1975

MAIL ROOM ☐

TELETYPE UNIT ☒

GPO [REDACTED]

TELETYPE TO SAC, MIAMI
RE: GERARD DAMIANO
[REDACTED]

WHICH COULD RESULT IN RISK OF INFORMANT'S EXPOSURE.

AUSA CRAIG SHOULD ALSO BE ADVISED OF INFORMATION YOU TELEPHONICALLY FURNISHED THAT INFORMANT IS SCHEDULED TO TESTIFY AS PROSECUTION WITNESS SINCE THIS COULD ALSO EXPOSE HIS PREVIOUS COOPERATION WITH YOUR OFFICE IN THIS MATTER.

DEPARTMENTAL ATTORNEY HARRY DAMELIN HAS BEEN FURNISHED WITH BACKGROUND INFORMATION OF THIS CASE. AUSA CRAIG SHOULD BE ADVISED OF THIS IN EVENT HE DESIRES TO CONSULT WITH DAMELIN.

BUREAU SHOULD BE KEPT ADVISED OF ALL PERTINENT DEVELOPMENTS ON A TIMELY BASIS.

b6
b7C

NOTE: Miami informant furnished information to that office regarding filming in Dade County of obscene film. When Federal violation not able to be determined matter disseminated to Dade County authorities who have initiated prosecution. SA [REDACTED] of Miami was served subpoena on 1/2/75 to testify in behalf of one of defendant's subpoena of "fishing expedition" type ordering SA [REDACTED] to produce all Bureau material pertaining to case. AUSA Wilson, Miami, initially advised Federal Government would resist all demands of subpoena except for furnishing original informant information on which local prosecution initiated without divulging informant's identity. Also photos used in identifying subjects would be produced according to AUSA Wilson. Above information confirms Butelcalls to Miami. Opinions obtained from Department will be confirmed. This matter was coordinated with Mr. [REDACTED] of the Legal Council Division.

F B I

Date: 1/14/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (145-5594) 145-5494

FROM: SAC, HONOLULU (145-189) (RUC)

SUBJECT: GERARD DAMIANO;
ET AL
ITOM
OO: NY

Re Honolulu letter to Bureau dated 12/23/74.

Referenced letter advised the package containing the film was sent Air Mail-Special Delivery, Registered, on 10/31/74 under Registry Number 388565, and was accepted at the Honolulu Post Office on 10/31/74, directed to FBIHQ.

On 1/10/75, Mr. [] Post Office Claims Department, Honolulu, Hawaii, advised that registered package No. 388565 was sent to Washington, D.C., and was received on 11/3/74 and signed for by []

b6
b7C

The Bureau is requested to contact the postal authorities in Washington, D.C., to determine why the package was not received at the Bureau.

2 - Bureau
1 - Honolulu

LLA/kap
(3)

EX 104

REC-43

145-5474-22

1cc-T-5042

[Handwritten signature]

51 JAN 23 1975

Special Agent in Charge

Sent _____ M Per _____

AIRTEL

To: SAC, Honolulu (145-189)

1/20/75

From: Director, FBI (145-5494)-23

1 - Mr. ☐

b6
b7c

GERARD DAMIANO, ET AL.;

ITOM

OO: NY

ReHNlet 12/23/74. Enclosed for the information of New York is one copy of reHNlet 12/23/74.

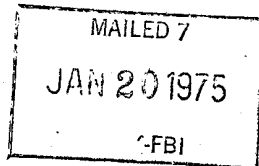
A piece of registered mail bearing #388565X from Honolulu was logged in at FBIHQ 11/3/74. You should, therefore, promptly notify the post office at Honolulu to presently discontinue the tracer on the film shipment.

1 - New York (145-3670) (Enc.) (Information)

JEO:sls
(5)S/S

NOTE: Honolulu provided registry number in relet of missing shipment. Honolulu being advised such a shipment was logged in at FBIHQ. Honolulu, therefore, being instructed to discontinue post office tracer.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____



JAN 31 1975

MAIL ROOM ☐

TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (145-5594) ^{145-5494 0-17 13A} ^{2/15/75} ⁴⁰ *jeff/line*

FROM : SAC, HONOLULU (145-189) (P)

SUBJECT: GERARD DAMIANO;
ET AL
ITOM
OO: New York

1765

DATE: 12/23/74

Re Honolulu letter to the Bureau, 10/31/74,
and Bureau letter to Honolulu dated 12/12/74.

Enclosed for the Bureau is one copy each of
referenced Honolulu letter and Post Office Form 3877
(Application for Registration or Certification) dated
10/31/74.

For the information of the Bureau, referenced
Honolulu letter, a copy of which is enclosed, reveals
that the package containing the film was sent airmail,
special delivery, registered on 10/31/74, under registry
number 388565X. The application for registration or
certification reveals that the box was accepted by the
Post Office at Honolulu, Hawaii at 4:21 p.m. on 10/31/74,
directed to FBIHQ. *62*

The Honolulu Office has no record of the regis-
tration receipt being returned from the Bureau although
receipts for registered items sent just before and just
after this package have been received.

The Honolulu Office is instituting a check with
the Post Office at Honolulu by means of a tracer on the
missing film shipment.

The Bureau is requested to contact the postal
authorities in Washington, D. C. to institute a similar
check.

The Bureau will be kept advised in this matter.

- 2 - Bureau (Enc. 2)
1 - Honolulu
LLA:cdc
(3)



5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

DIRECTOR, FBI (145-5594)

10/31/74

SAC, HONOLULU (145-189) (RUC)

GERARD DAMIANO;
ET AL
ITOM
(OO: NY)

Being forwarded to the Bureau under separate cover are four reels of .35 millimeter film of "Memories Within Miss Aggie."

On 10/29/74, AUSA WILLIAM C. MC CORRISTON, Honolulu, Hawaii, advised that he had, on that date, talked with Departmental Attorney DON NICHOLSON, who had advised that prosecution was being deferred in this matter pending other ITOM prosecutions against DAMIANO. NICHOLSON requested that the above film be forwarded to the FBI ITOM Unit, Attention Supervisor

b6
b7c

Information copies being furnished the Butte and New York Offices in view of their investigative interest in this matter.

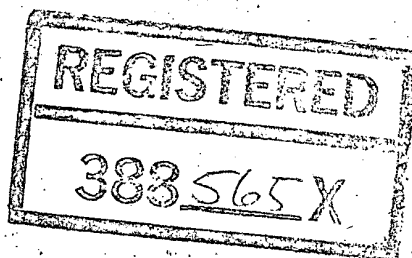
- RUC
- 3 - Bureau
(1 - Package Copy)
 - 1 - Butte (145-195) (Info)
 - 1 - New York (145-3670) (Info)
 - 1 - Honolulu

LLA/kap
(6)

145-5494-23


~~145-5594~~ 3

ENCLOSURE



Searched _____
Indexed _____
Serialized _____
Filed _____

145-189-71

Name and Address of Sender  FBI Honolulu

☒ REGISTERED ☐ REGISTERED
C.O.D.

CERTIFIED


 (living employee)

TOTAL NO. OF
PIECES REC'D AT P.O.

POSTMASTER, PER (Name of receiving employee)

Show under "Remarks" class postage paid if other than first or international

Form 3877, Jan. 1972

APPLICATION FOR REGISTRATION OR CERTIFICATION

Handling charges are not required on international registered mail)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 24 1975
DCW

TELETYPE

NR 007 DE PLAIN

525 PM JANUARY 24, 1975 NITEL BLM

TO: BUREAU (145-5494)

NEW YORK (145-3670)

BUTTE (145-195)

HONOLULU (145-189)

(VIA WASHINGTON D.C.)

FROM: DETROIT (145-805) (P)

GERARD DAMIANO; [REDACTED]; PHIL PARISI; DBA; INISH KAE LIMITED,
2 WEST 45TH STREET, NEW YORK, NEW YORK; MOTION PICTURE FILM
"MEMORIES WITHIN MISS AGGIE"; [REDACTED] ITOM OO: NEW YORK

RE DETROIT TELETYPE TO BUTTE, JAN. 22, 1975, AND
HONOLULU TELETYPE TO BUREAU, JAN. 22, 1975.

FOR INFORMATION OF THE BUREAU AND RECEIVING OFFICES,
AUSA MITCHELL COHEN, EASTERN DISTRICT OF MICHIGAN, DETROIT,
MICHIGAN, ADVISED THIS DATE THAT INSTANT MATTER HAS BEEN
REASSIGNED TO HIM FROM AUSA WILLIAM C. IBERSHOF, CHIEF,
CRIMINAL DIVISION, DETROIT.

AUSA COHEN STATED THAT BASED UPON A REVIEW OF INVESTIGATION
CONDUCTED TO DATE, AND THE NATURE OF THE FILM "MEMORIES WITHIN
MISS AGGIE", HE DOES NOT FEEL THIS MATTER HAS PROSECUTIVE
MERIT AND HE IS THEREFORE DECLINING PROSECUTION.

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

b6
b7c

Rd

TELETYPE TO:

JAN 31 1975

REC-16

145-5494-24

JAN 28 1975

[Handwritten signature/initials]

PAGE TWO DE 145-805

IN VIEW OF THE ABOVE, NO FURTHER INVESTIGATION IS
NECESSARY. ALL LEADS SHOULD BE DISCONTINUED AND THE REQUEST
OF THE BUREAU TO CONTACT THE DEPARTMENT IS NO LONGER NECESSARY.

END

DBS FBIHQ R RELAY CLR

AIRTEL

To: SACs, Detroit (145-805)
Honolulu (145-189)
New York (145-3670)

1/24/75

1 - Mr.

From: Director, ^{DEC-9} (145-5494) - 25

9
GERARD DAMIANO; ARTIE SOMER;
PHIL PARISI; DBA INISH KAE LIMITED,
2 WEST 45TH STREET,
NEW YORK, NEW YORK;
MOTION PICTURE FILM "MEMORIES WITHIN
MISS AGGIE"; (NMN)
ITOM
OO: NY

ReHNTel to the Bureau 1/22/75.

Departmental Attorney Donald Nicholson contacted
1/23/75, and advised he would forward to AUSA William Ibershoff,
Detroit, the testimony of requested in retel.

GLP:sls
(8)S/s

b3 Rule 6 (e)
b6
b7C

NOTE: This concerns a request made by Honolulu to furnish
Federal Grand Jury testimony of a suspected
transporter of the hard-core film entitled "Memories Within
Miss Aggie," to AUSA, Detroit. Departmental Attorney
Donald Nicholson was contacted and is handling.

GLP

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAILED 23
JAN 24 1975
-FBI

50 JAN 31 1975

MAIL ROOM ☒

TELETYPE UNIT ☐

GPO 954-546

JAN 22 1975

TELETYPE

NEW YORK (145-3 670) ///VIA FBI HQ///

FROM : HO NOL UL U (145-189) (RUC) 1P

GERARD DAMIANO; [REDACTED] PHIL PARISI; DBA INISH KAE
LIMITED, 2 WEST 45TH STREET, NEW YORK, NEW YORK; MOTION
PICTURE FILM "MEMORIES WITHIN MISS AGGIE"; [REDACTED] (NMN)

ITOM. 00: NEW YORK.

b3 Rule 6 (e)
b6
b7C

7

FOR INFORMATION BUREAU AND NEW YORK, RETEL ADVISED AUSA,
DETROIT, DESIRES RESULTS OF [REDACTED] TESTIMONY BEFORE
FGJ. HONOLULU.

AUSA WILLIAM C. MCCORRISTON, HONOLULU, ADVISED TESTIMONY
SENT TO GOVERNMENTAL REGULATIONS SECTION, USDOH. 10/15/54

BUREAU REQUESTED TO CONTACT DEPARTMENT AND FORWARD

TESTIMONY OF [REDACTED] TO DETROIT FOR SUBMISSION TO AUSA.

END Airtel DE, MW, NY

FXX 1/24/75
GLP:s/s

HOLD

TELETYPED TO:

DE, NY

FOR SUBMISSION TO AUSA.

Department of Justice
Attorney General
1/23/75
NICHOLS
copy of request
DETROIT
6:45 PM
IBERSHOFF
JAN 28 1975

AIRTEL

To: SACs, Honolulu (145-189)
New York (145-3670)

2/7/75

1 - Mr.

b6
b7C

From: Director, FBI (145-5494)

GERARD DAMIANO, ET AL.;
ITOM
OO: NY

ReBuairtel 1/20/75, captioned as above.

A piece of registered mail bearing #388565X from Honolulu is presently secure at FBIHQ.

JJS:sls
(6)sls

NOTE: Missing shipment located and secure at FBIHQ.

REC-38

145-5494-26

EX-101

19 FEB 10 1975

MAILED 23

FEB 07 1975

-FBI

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM

TELETYPE UNIT ☐

GPO 954-546

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN NEW YORK	DATE APR 28 1975	INVESTIGATIVE PERIOD 9/3/74-4/15/75
TITLE OF CASE GERARD DAMIANO PHIL PARISI; DBA INISH KAE LIMITED 2 WEST 45th STREET NEW YORK, NEW YORK; (TITLE CONTINUED ON COVER PAGE B)		RE <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY lmm b6 b7C
		CHARACTER OF CASE ITOM	

REFERENCES:

NYrep of SA 8/28/74.
 HNairtel to the Bureau, 8/26/74.
 DEairtel to the Bureau, 8/27/74.
 NYairtel to the Bureau, 8/27/74.
 NYairtel to New Haven, 8/30/74.
 Bulet to Honolulu, 8/30/74.
 NHairtel to New York, 9/4/74.
 NYairtel to Detroit, 9/4/74.
 BTairtel to New York, 9/5/74.
 BTairtel to New York, 9/10/74.
 NKlet to New York, 9/25/74.
 NYairtel to New Haven, 10/2/74.
 HNairtel to New York, 10/4/74.
 BSlet to New York, 10/4/74.
 Bulet to New York, 10/22/74.

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
APPROVED				SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:					<div style="border: 1px solid black; padding: 5px;"> 145-5494 - 21 </div> <div style="border: 1px solid black; padding: 5px;"> 21 MAY 1 1975 </div>	
2- Bureau (145-5494) 2- Boston (145-662) 2- Butte (145-195) 2- Detroit (145-805) 2- Honolulu (145-189) 2- Newark (145-1326) 1- New York (145-3670)					<div style="border: 1px solid black; padding: 5px;"> REC-19 </div> <div style="border: 1px solid black; padding: 5px;"> EX-112 </div>	
Dissemination Record of Attached Report				Notations		
Agency	1-AAG, CD, Gen. Reg. Sec.					
Request Recd.						
Date Fwd.	On: 5-8-75					
How Fwd.						
By	56 MAY 1975					

NY 145-3670

TITLE CONTINUED
MOTION PICTURE FILM
"MEMORIES WITHIN MISS AGGIE";
[REDACTED] FUGITIVE

REFERENCES (CONTINUED):

HNlet to the Bureau, 10/31/74.
BTlet to New York, 12/3/74.
NHlet to the Bureau, 12/4/74.
Bulet to Honolulu, 12/12/74.
HNlet to the Bureau, 12/23/74.
HNlet to New York, 12/31/74.
Buairtel to Honolulu, 1/20/75.
HNteletype to the Bureau, 1/22/75.
DEteletype to the Bureau, 1/24/75.
Buairtel to Detroit, 1/24/75.
BSlet to New York, 2/4/75.
Buairtel to Honolulu, 2/7/75.
Bulet to New York, 2/31/75.

-C-

ADMINISTRATIVE:

It is noted that investigative period is lengthy in this matter but case has been kept current by interoffice communications. All investigation has been terminated and no prosecution is to be forthcoming in any of these additional districts having venue. Declaration have been confirmed by separate communications.

The New York source referred to in this report is [REDACTED]
[REDACTED], [REDACTED] of whom prosecution in Honolulu has been discontinued. The New York Office has continued regular monthly contact with [REDACTED] in an attempt to obtain any additional information of value that he might be able to provide relative to ITOM matters. It is noted, however, that [REDACTED] is no longer employed by captioned firm as a result of his arrest in Honolulu by FBI agents, 8/6/74.

In view of the above, this case is being closed at New York.

-B*-
COVER PAGE

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Office: New York, New York

Date:

APR 28 1975

Field Office File #:

145-3670

Bureau File #: 145-5494

Title:

GERARD DAMIANO;

PHIL PARISI;
INISH KAE LIMITED
2 WEST 45th STREET
NEW YORK, NEW YORK;
MOTION PICTURE FILM
"MEMORIES WITHIN MISS AGGIE";
 - FUGITIVE

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b7c~~XXXXXXXX~~~~XXXXXXXX~~

Character:

INTERSTATE TRANSPORTATION OF
OBSCENE MATTER

Synopsis: Source contact maintained at NY. Supplemental investigation
by auxiliary officers set out. Investigation concluded
by auxiliary officers with prosecution declined.

-C-

DETAILS:

NY 145-3670

On September 10, 1974, [] advised that he delivered copies of the motion film entitled "Memories Within Miss Aggie" to the State of Connecticut, during the summer of 1974 as an employee of Inish Kae, Limited, 2 West 45th Street, New York, New York. He advised that he traveled in his personally owned auto and this distribution was under the direction of PHIL PARISI and [], who supplied the film and [] [] who was in charge of the theater checkers.

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[] provided the following information regarding his itinerary:

<u>Date</u>	<u>City</u>	<u>Theater/Recipient</u>
Mid June	New Haven	Lincoln Theater
July 3	Enfield	Parackus Brothers
July 4	Jewett City	"
July 5	East Hartford	"
July 6	New Britain	"

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/4/74

[] was interviewed regarding details of his original acquisition of copies of the motion picture film entitled "Memories Within Miss Aggie" which he subsequently transported interstate on August 5, 1974, from New York City to Newark, New Jersey; Detroit, Michigan; Minneapolis, Minnesota; Missoula, Montana; and opened the way to Seattle, Washington; and Honolulu, Hawaii.

[] volunteered that on the afternoon of Thursday, August 1, 1974, he went to the offices of Inish Kae, Limited, located at 2 West 45th Street, New York, New York, and there he received several copies of the film from [] and PHIL PARISI.

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Interviewed on 9/3/74 at New York, New York File # NY 145-3670

by SA []/lmm Date dictated 9/4/74

NY 145-3670

At Missoula, Montana

On September 25, 1974, efforts were made to contact [redacted] in his office at the Wilma Building, Missoula, Montana, and he was out of town.

Efforts to recontact SIAS were again made October 16, 1974, and Special Agent (SA) [redacted] was informed that Mr. [redacted] was still out of town and is not expected to return until the second week of November, 1974.

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On October 7, 1974, efforts were made to contact United States Attorney (USA) OTIS L. PACKWOOD at Billings, Montana, to determine the status of prosecutive action in this case. SA [redacted] was informed Mr. PACKWOOD was unavailable. On the same date, a second effort was made to contact PACKWOOD and again it was determined that PACKWOOD was unavailable.

On October 11, 1974, a third effort was made and SA [redacted] was advised that PACKWOOD was on vacation and would not return until October 21, 1974.

NY 145-3670

At Honolulu, Hawaii

On October 29, 1974, United States Attorney (USA) WILLIAM C. MC CORRISTON, Honolulu, Hawaii, advised that he had on that date talked with Departmental Attorney DON NICHOLSON who had advised that prosecution was being deferred in this matter pending other ITOM prosecutions against DAMIANO. NICHOLSON requested that the film be forwarded to the Federal Bureau of Investigation (FBI), ITOM Unit, Attention: Supervisor

[REDACTED]

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NY 145-3670

By communication dated December 3, 1974, the Butte Division advised that they were discontinuing investigation in this matter pending subsequent notification in the future indicating that the department might reconsider prosecuting the subject, DAMIANO, on conclusion of pending prosecutive matters against the subject. In light of this, the Butte Division has placed their investigation in a closed status.

NY 145-3670

By communication dated December 4, 1974, the New Haven Division advised that the motion picture film, "Memories Within Miss Aggie", was no longer being exhibited in New Haven as of the first week in September, 1974.

On October 8, 1974, this matter was presented to the Assistant United States Attorney (AUSA) PETER MEAR for prosecutive opinion and on December 3, 1974, AUSA MEAR declined prosecution as the film was no longer being exhibited in Connecticut and community standards would preclude successful prosecution.

In view of this decision, the New Haven Office discontinued their investigation.

NY 145-3670

At Honolulu, Hawaii

On October 29, 1974, Assistant United States Attorney (AUSA) WILLIAM C. MC CORRISTON, Honolulu, Hawaii, advised that he had talked with Departmental Attorney DON NICHOLSON, who advised that prosecution was being deferred in this matter pending other ITOM prosecutions against DAMIANO.

As a result of this decision, Honolulu discontinued their investigation.

NY 145-3670

By communication dated January 24, 1975, the Detroit Division advised that Assistant United States Attorney (AUSA) MITCHELL COHEN, Eastern District of Michigan, advised on the same date, that the prosecution of captioned subjects in instant matter have been reassigned to him from AUSA WILLIAM C. IBERSHOF, Chief of the Criminal Division, Eastern District of Michigan, at Detroit. AUSA COHEN stated that based upon a review of this film, he did not feel that the matter had prosecutive merit and did therefore decline prosecution. As a result of this decision, no further investigation was conducted by Detroit.

NY 145-3670

By communication dated February 4, 1975, the Boston Division advised that on January 21, 1975, Assistant United States Attorney (AUSA) EVERETT C. SAMMARTINO advised that he has been having discussions with the Department of Justice and it had been determined that prosecution would not be forthcoming against this film in Providence, Rhode Island. As a result of this decision, the Boston Division closed this investigation.

NY 145-3670

At New York, New York

Regular monthly source contact has been maintained at New York. No additional information has been obtained.

On April 15, 1975, source advised that there is no additional information available regarding the film entitled "Memories Within Miss Aggie" as this film is apparently no longer being exhibited in the New York metropolitan area.

1 - Mrs. [REDACTED]

MAILED

AUG 8 1979

DCRS

August 7, 1979

FEDERAL GOVERNMENT

[REDACTED]
Born: [REDACTED]
Bronx, New York

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The central files of this Bureau reveal that [REDACTED], born [REDACTED], and several others were the subjects of a criminal-type investigation by the FBI in 1974 through 1975. This matter concerned the interstate transportation of an obscene film to various theaters.

During January, 1975, Assistant U.S. Attorney, Michell Cohen, Eastern District of Michigan, Detroit, Michigan, advised that based upon a review of the film, he did not feel that this matter had prosecutive merit and therefore declined prosecution. (145-5494)



811

43

DTP
TRJ

REC-103 DE-55

145-5494-28

1 AUG 9 1979

Assoc. Dir. Original & 1 - NACC-Army
Dep. AD Adm. request received 7/23/79
Dep. AD Inv. RHP:110 (4)
Asst. Dir.:
Adm. Serv. [REDACTED]
Crim. Inv. [REDACTED]
Ident. [REDACTED]
Intell. [REDACTED]
Laboratory [REDACTED]
Legal Coun. [REDACTED]
Plan. & Insp. [REDACTED]
Rec. Mgnt. [REDACTED]
Tech. Servs. [REDACTED]
Training [REDACTED]
Public Affs. Off. [REDACTED]
Telephone Rm. [REDACTED]
Director's Sec'y [REDACTED]

SEE REVERSE SIDE, FBI

DO NOT DISSEMINATE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency; it and its contents are not to be distributed outside your agency. This reply is result of check of FBI investigative files. To check arrest records, request must be submitted to FBI Identification Division. Fingerprints are necessary for positive check.

MAIL ROOM ☐

FBI/DOJ

4-22b v. (11-17-59)

SEARCH SLIP

Subj:

R#

Date

Searcher
Number

Prod:

FILE NUMBER

SERIAL

445-5494

AUG

31 1979

FBI/DOJ

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SSP

CLASS
SRC'D
SER
REC

1 - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Mr. [REDACTED]

AIRTEL

UNCLAS

2/13/89

DIRECTOR, FBI (145-5494)

SAC, Honolulu (145-189)

GERARD DAMIANO
ET AL
ITOM

Re Bureau telcal to your office on 2/10/89 to Ralph R. Girardi regarding above captioned case.

Evidence pertaining to this case was submitted to the Laboratory in 1974. No disposition for this evidence was included in the incoming communication. Disposition instructions for this material should be forwarded to the Laboratory within 30 days from the date of this communication. Specifically, it is requested that authorization for the destruction of this material and/or its addition to the Pornographic Materials Reference File be addressed.

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If there are any questions regarding this evidence, contact the Special Photographic Unit, Attention: SSA [REDACTED] on Ext. 4485 or Document Analyst [REDACTED] on Ext. 5458.

This evidence includes four reels of 35mm film entitled "Memories Within Miss Aggie".

1 - Personal Crimes Unit (Attn: SSA [REDACTED])
NJR: [REDACTED] (5)

Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. &
Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

MAIL ROOM ☐

145-5494-29

APR 11 1989
FBI - HONOLULU

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☒ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 2/21/89

SSP

LASS

RC'D

ER

EC

TO: DIRECTOR, FBI (145-5494)
 (ATTENTION: FBI Laboratory)

FROM: SAC, HONOLULU (145-189)

GERARD DAMIANO

ET AL

ITOM

ReBuairtel to Honolulu dated 2/13/89.

Evidence in question is no longer of any use to Honolulu. Therefore, the Laboratory is authorized to destroy said material or add it to the Pornographic Materials Reference File if pertinent. Honolulu defers that decision to the Laboratory.

2 - Bureau
 1 - Honolulu
 RRG:eso
 (3)

145-5494-30

2 FEB 28 1989

Approved: EC/12

Transmitted

(Number)

(Time)

Per

SEVEN

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 2 1975

NR 010 MM CODE

6:10PM NITEL JANUARY 2, 1975 CLS

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Inv.	_____
Rec. Mgmt.	_____
Sec'y	_____

TO DIRECTOR

FROM MIAMI (145-1171) (P) 4P

ATTENTION: OFFICE OF LEGAL COUNSEL.

GERARD DAMIANO, AKA. JERRY DAMIANO; [REDACTED] D/B/ [REDACTED]

KIRT FILMS, 7 WEST 22ND STREET, NEW YORK, NEW YORK, ITOM,

OO: MIAMI (MIAMI 145-1171); [REDACTED] AKA., [REDACTED] 3

ITOM, OO: MIAMI (MIAMI 145-671).

ON JANUARY 2, 1975, SA [REDACTED] MIAMI, RECEIVED

"SUBPOENA DUCES TECUM FOR DEPOSITION," ORDERING SA [REDACTED]

APPEARANCE ON JANUARY 7, 1975, AT 10:00 A.M., BEFORE [REDACTED]

COURT REPORTER, METROPOLITAN DADE COUNTY JUSTICE BUILDING,

MIAMI, FLORIDA, TO TESTIFY IN BEHALF OF LOCAL DEFENDANT

[REDACTED] AKA., IN DADE COUNTY, FLORIDA, CRIMINAL

CASE NO. 74-6459.

EX-101 MCT 21 REC-16 145-5546-1

SUBPOENA WAS ISSUED BY ASSISTANT PUBLIC DEFENDER THOMAS J.

MORGAN, 11TH JUDICIAL CIRCUIT OF FLORIDA, MIAMI, FLORIDA.

SUBPOENA ORDERS SA [REDACTED] TO PRODUCE ALL REPORTS, DOCUMENTS,

RECORDS, NOTES AND WRITINGS, PHOTOGRAPHS OF DEFENDANT, ALL

PHOTOGRAPHS SHOWN TO WITNESSES, OTHER PHOTOGRAPHS PERTINENT TO

THIS CASE, WRITTEN STATEMENTS OF DEFENDANT, LINE-UP TRANSCRIPTS.

END PAGE ONE

50 JAN 24 1975

6-7-75
DELETED COPY

PAGE TWO (145-1171)

LINE-UP PHOTOGRPHAS, LINE-UP SHEETS, SCIENTIFIC AND MEDICAL REPORTS AND ANALYSES, LATENT FINGERPRINT CARDS, STANDARD FINGERPRINT CARDS, FINGERPRINT RECORDS AND ANALYSES, QUESTIONED DOCUMENTS, HANDWRITING EXEMPLARS, AND ALL OTHER TANGIBLE EVIDENCE IN CUSTODY, OR TO WHICH SA [] HAS ACCESS, WHICH IS PERTINENT TO CASE. SA [] IS ALSO ORDERED TO PRODUCE ALL REPORTS, WRITINGS, AND MEMORANDA WHICH REFRESH SA [] MEMORY AS TO CASE, OR WHICH EMBODY PAST RECOLLECTION RECORDED OF THE CASE.

[], AKA., FBI NUMBER []
RESIDENT OF [] COOPER CITY, BROWARD COUNTY, FLORIDA, IS LEADING PHOTOGRAPHER IN SOUTH FLORIDA OF BOTH OBSCENE AND SIMULATED SEX MOTION PICTURE FILMS AND STILL PHOTOGRAPHS, WHO SELLS SERVICES TO VARIOUS OBSCENE MATTER DISTRIBUTORS THROUGHOUT U.S. SUBJECT HAS EXPRESSED DISLIKE OF THE FBI AND SAS ASSIGNED TO ITOM CASES OVER PERIOD OF SEVERAL YEARS BECAUSE OF CONTINUING FBI INVESTIGATION INTO HIS ACTIVITIES RELATED TO ITOM VIOLATIONS.

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ON MARCH 14, 1974, A MIAMI CRIMINAL INFORMANT, NOT ASSIGNED TO SA [] ADVISED SA [] THAT ON MARCH 13, 1974, A HARD CORE OBSCENE FILM HAD BEEN MADE ABOARD YACHT "SEA HORSE," AT DADE COUNTY, FLORIDA. CI WAS
END PAGE TWO

PAGE THREE

PERSONALLY INVOLVED. CI IDENTIFIED ONE [] (LNU) AS
CASTING MANAGER AND CASTING DIRECTOR OF FILM.

ON MARCH 20, 1974, SAME CI IDENTIFIED PHOTO OF [] AS
THE [] (LNU) REFERRED TO BY CI ON MARCH 14, 1974.

ON MARCH 21, 1974, CI ADVISED THAT [] ADVISED CI
THAT [] AND ASSOCIATES HAD RECENTLY FILMED ANOTHER
PORNOGRAPHIC FILM AT MIAMI AREA HOME OF A DOCTOR (WHO HAS
BEEN IDENTIFIED AND INTERVIEWED BY LOCAL PROSECUTOR.)

HAROLD UNGERLEIDER, ASSISTANT STATES ATTORNEY, DADE
COUNTY, FLORIDA, WHO HANDLES ALL OBSCENITY PROSECUTIONS,
FILED TWO FELONY COUNTS AGAINST []
OWNER, KIRT FILMS, 7 WEST 22ND STREET, NEW YORK CITY, AND
WELL KNOWN PORNO FILM ACTOR [] AKA. []
IN CONNECTION WITH UNTITLED FILMS MADE ABOARD YACHT "SEA HORSE"
AND AT HOME MIAMI AREA DOCTOR, []

[] AND [] ARE CHARGED WITH VIOLATION OF FLORIDA
STATUTE 833.04 (CONSPIRACY TO COMMIT WHOLESALE PROMOTION OF
OBSCENE MATTER OR PERFORMANCE). BOTH VIOLATIONS ARE FELONIES.

BOTH [] AND [] HAVE FURNISHED STATEMENTS
TO UNGERLEIDER, AND ARE EXPECTED TO PLEAD NOLO CONTENDERE
OR GUILTY AT TRIAL OF ALL THREE DEFENDANTS, SCHEDULED FOR
FEBRUARY 3, 1975. [] AND []

END OF PAGE THREE

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PAGE FOUR

UNGERLEIDER, [REDACTED]

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b7C

WHO IS PRIMARY TARGET OF LOCAL PROSECUTION.

NO SPECIFIC ITOM VIOLATION WAS DEVELOPED IN THIS MATTER.

AUSA GRAFTON B. WILSON, MIAMI, WAS ADVISED JANUARY 2, 1975, RE SUBPOENA DEMANDS. WILSON ADVISED FEDERAL GOVERNMENT WILL REQUEST ALL DEMANDS OF SUBPOENA, WITH EXCEPTION OF FOLLOWING: *Resist ?*

1. ORIGINAL INFORMANT INFORMATION ON WHICH LOCAL PROSECUTION WAS INITIATED ¹ INFORMANT WILL NOT BE IDENTIFIED.

2. PHOTOS OF DEFENDANT [REDACTED] AND OTHER PHOTOS OF LOCAL CODEFENDANTS [REDACTED] AND STREICHER, WHICH PHOTOS WERE MADE AVAILABLE TO UNGERLEIDER FOR SHOWING TO WITNESSES. AUSA WILSON FEELS PUBLIC DEFENDER ENTITLED TO INFORMATION CONTAINED IN ABOVE TWO EXCEPTIONS, BUT TO NO OTHER INFORMATION OR DOCUMENTS.

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SA [REDACTED] IS ASSIGNED TO SAME DISTRICT IN WHICH DADE COUNTY CRIMINAL COURT IS LOCATED.

ON BASIS ADVISE AUSA WILSON, SA [REDACTED] ACCOMPANIED BY AN AUSA, MIAMI, WILL APPEAR IN RESPONSE TO SUBPOENA, JANUARY 7, 1975, AND REPLY TO QUESTIONS, AND FURNISH PHOTOS, ONLY WITH COMPLIANCE OF AUSA, UACB.

END

HOLD

cc: MR. [REDACTED]